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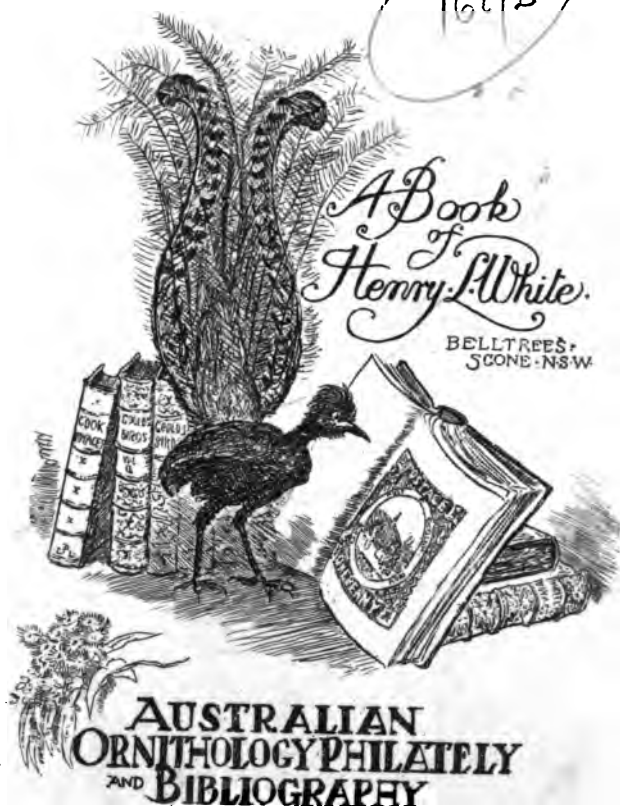
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THE  
PRESENT AND FUTURE  
GOVERNMENT

OF THE  
COLONY OF NEW SOUTH WALES,

By HENRY FRANCIS.

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“ Kill a man's family and he may brook it,  
But keep your hands out of his breeches pocket.”

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THE  
PRESENT AND FUTURE GOVERNMENT  
OF THE  
COLONY OF NEW SOUTH WALES.

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"Kill a man's family and he may brook it,  
But keep your hands out of his breeches pocket."  
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**MONEY**, money is the strongest word in the English language to call attention to, and any subject that has not money for its immediate object, it is useless to write about, for it will not be read.

The Government look to the many for money, and many look to the Government for money, therefore both parties ought to have an equal interest in the way the public money is spent; but such is not the case, for the indifference of the many to their own interest is only equalled by the indifference of their representatives to the way money is obtained and expended.

The cause of the indifference of the tax-payers to their own rights is of very early origin, for when kings had divine rights in England, taxes were demanded in the name of the king, and refused at the peril of the loss of your head, and obedience to the king was the first duty taught. But this first simple means of obtaining money was too good to last, and the next expedient was to grant a Parliament to tax the people, the kings receiving the money for their own objects, therefore had the power to reward and grant honors to those that assisted them in carrying out their views, so that the members of Parliament became the servants of the king, and voted money and made laws, if not by the direct command of the king, they were carried by his influence. This is an outline of the Government of England until the year 1830, for before that time seats in Parliament were sold, and the members reimbursed themselves by appointments obtained for their relations and partisans.

The outcry made during the carrying of the Reform in Parliament of 1830 would now be laughed at, but at that time it was declared that if the lower classes had a voice in the way that their earnings were spent by the Parliament, England would be ruined!

England has not been ruined by the very limited reform that then



took place in her Parliament, but has increased in wealth and importance ever since. But how much more she might have improved had there been a thorough reform at that time, it is now impossible to imagine. The principle and justice of the late Reform was as obvious in 1830 as at the present time, but the corruption of the Parliament would have made it impossible to carry such just and liberal measures at that time.

The present Prime-Minister of England published a book in the year 1839, in which he endeavoured to show the necessity for the Established Church of England in Ireland, even against the will of the people, and now it is the height of his ambition to abolish such a grievous injustice. The present parliamentary power is now derived from the employment of the public money, and Parliamentary corruption is instigated by the fear to lose the patronage and importance that expending that money gives; also the hope to participate in the expenditure. So the more extravagant a Government is, the more money spent, the greater are the opportunities for the members to reward their partisans, and so assure themselves being elected until office will reward them for their liberality to their friends with money paid out of the public purse. This Parliament we have inherited from our ancestors, and the corruptions have been found to be so intolerable, that it has been reformed twice in the present generation.

In adapting the English Parliament to the Colony, we labor under this great disadvantage: In England, the people look for security in the high station, ancient prestige, and known integrity of their representatives; but we can have no such guarantee for our security; for some of our members are of so opposite a character, and class, that it is only fair to the public that they should know the kind of men who have had presumption to become candidates, and have succeeded in being elected by corrupt practices. It is not my object to make any invidious distinctions, but to show the evils that have arisen from the election of such men; which evils, if continued, will bring ruin on the Government, and the colony into contempt, for it will soon be impossible for any Government to act unless such a reformation takes place that is now thought impossible. The very worst position that a Legislative body can be held in is that of contempt, and the men who are the cause of this feeling are the greatest enemies to the prosperity of the community at large, and a disgrace to their electors.

Every private institution proves that men of education, integrity, and talent do not associate with others devoid of those qualifications, and if there is one place more than another where these qualifications are of the uttermost importance it is in the House of Parliament; yet we have members without any qualification whatever for their duties—men that for years have carried on the most demoralizing vocations, where vices of the lowest order have been their constant companions and profit, such men by their unscrupulous effrontery have obtained their present position; and what is the

result of such men holding such positions? why, to drive away men who would benefit the country and be an honor to their constituents; but the desideratum is how to drive away these men, who are a terror to a Ministry, and a curse to the country. For the Ministers' time is wholly taken up by an army of applicants for appointments backed up by the recommendation and influence of members who threaten, coerce, and make bargains for their friends in exchange for votes as if they were a money consideration, and insist on having the full value for them at their own estimate; and to such an excess have these practices been carried out, that numbers of young men, though there is no opening of any kind for them, are in the Government offices without occupation or payment, waiting in the hope of getting appointments; and, further, numbers of persons have had employment given to them when their services were not required, because the Ministry were just going out of office, and they were left as a kind of Parliamentary legacy to cast the odium of getting rid of them, on their successors, and as every one of them would have his Parliamentary friend who would be offended at having his protégé dismissed, so by this petty trick endeavour to do as much injury as possible to the incoming party. The rapacity of some of the members is fully developed by the corrupt system; one member has four of his family in Government employment, demands a Government contract for a friend, and a paid magistrate's position for himself. The attempt to describe or even to enumerate the instances of jobbery and corruption that have taken place in our Governments would be useless, for they have become so common that however flagrant they almost cease to attract attention; and it is only when I shall show the state of our monetary condition, and what is the result of the accumulated evils of our present Parliamentary system, that I can hope to have any attention paid to the true state of our Government affairs, for directly the capitalist knows that his money is in jeopardy he will see that it is time to take some measures to protect himself from loss, and a few figures that he can depend upon, will do more to show what is necessary to be done than a whole volume written upon the subject.

The real security for money depends upon the honesty of the people to whom it is entrusted, and to doubt whose integrity is to injure your security.

Now who can believe in the integrity of the assembly when night after night you hear, no, no, no, to the most obvious truths and, aye, aye, aye, to the most palpable untruths; where you have contradiction for argument, and occasionally that contradiction made by the unparliamentary word liar,—and then there are the members voting for the expenditure of large sums of money, and others at the same time stating that they do not understand the Government accounts or believe them to be correct, but if the least opposition is made to expenditure it is represented as party spite, and a clamour is raised and the ministers threaten to resign, and the consequence will be that the country will be thrown into

such irretrievable confusion that it will never be able to sustain the shock that will be inflicted by their resignation; and the partisans of the Ministry know if it goes out, their chance goes out with it, so they again rally to make things pleasant; we are indebted to a split in the camp for the last resignation, the deserter acting as if he thought and knew that the public were convinced that he was the only man in the country that could form a Ministry, and like a true patriot waited until his late colleagues would be forced to resign; they resigned and bullied the Governor to dissolve the House to give them another chance; the Governor was too good a general to give them the opportunity of insulting him again; the Governor certainly knew parliamentary law better than the Ministry or they would never have exposed their ignorance or audacity, and the deserter has sank down into his right position, for he might have known that he was the only man in the House of Parliament that the Governor could not send for, and to say that the deserter left his party for any other object, but the hope to gratify his own ambition is an insult to common sense, and there is always a pleasure in seeing a traitor reap the full and just reward for his treachery. That the Governments of the other colonies may be nearly as bad as our own is no justification or excuse, but ought to be a warning to us, and induce the intelligent members of the community to come forward and save this colony from the disgrace that it has fallen under.

That there is no want of talent in the colonies is proved by the fact that in England some of the Colonists have taken the highest political positions, and many could do the same thing here if they had the opportunity, and that political eminence was made a worthy object of ambition.

There are members of the Parliament who are an honor to their constituents, men of integrity, talent, and benevolence; but there are too few of them, and so long as they are in the minority, they are of no use, for a single adverse vote will upset the most beneficial measure that could be brought before the house, and the activity of partisans for immediate or prospective profit will always be greater than in men who act from high principle only, therefore corruption will carry the measures, so long as Ministers have the power to bribe the members. That bribery and corruption can be abolished is beyond a doubt to my mind; for if it is now illegal to bribe a voter, it is surely equally possible to make laws to prevent this bribery of members; the principle of the law in reference to members exists in the English Parliament, and if the present kind of bribery was not provided for it was because the extent of the evils could not have been foreseen at the time the laws were framed, or the Parliament must have been corrupt. Any member of Parliament taking any Government contract, or supplying merchandise, or trading or deriving profit in a private manner from the Government forfeits his seat in Parliament. The profit that our members derive in exchange for their votes, is getting for sons

and other relations, many of which have been brought up to no useful avocation, appointments with pay excessive for their qualifications. The Blue Book will show the number of persons who derive their income from the Government, and if the same book would show the bribery, corruption, and immoral practices by which many of the appointments have been made and obtained, the service of the Government would hardly be held an honourable position. The reverse of the present law would be less injurious to the public welfare; for it would be better to let the members of Parliament rob the public by granting them profitable contracts, than inflict upon the colony ignorant, unqualified, and useless officials, who throw all the public departments into confusion, and by so doing facilitate general public robbery, as I shall presently prove, besides the loss sustained from the construction of the most absurd and extravagant public works, and the wasteful neglect of natural advantages.

Lord Burleigh said nothing could ruin England but the Parliament, and when the members became more corrupt than the Ministry, the country would be ruined. Which party in this colony has been most corrupt it is an impossibility to decide; but if ever there was a doubt on the subject, the arrangements made by the present Ministry that have arisen out of the Duncan case, will degrade and demoralize it to the level of the lowest and most corrupt petty corporation, and this arrangement only proves the rule that one folly is the father of a hundred, for in the hope to prevent a split in the present camp they have taken the surest possible means to break it up.

The object of appointing a responsible Ministry is in the supposition that their integrity is a public security; but divided responsibility is no responsibility at all. Each Minister is put at the head of his department, and his individual integrity and talent in administering the duties of his office is looked upon as the public security: for if a man is responsible in such position, the first most essential condition is, that he should have control over the officers in his department that are under him, and this control can only be had by having the power to elect and dismiss them; if an officer is dismissed unjustly he has the law of the country to redress him, the house of Parliament to appeal to, and when the better feelings of Englishmen are brought out there is a love of justice that will see no man oppressed by the Government. Now what is the condition of a Minister who wants assistance, knows the man who could afford it most effectually to him, but has no power to elect him because the office must be filled by the majority of the ministry, and the man who has the most corrupt political influence to bear upon the Ministry obtains the appointment, for if the applicant can get four out of the seven votes in the Cabinet, he gets the appointment, however incompetent he may be to fill it.

This new Parliamentary invention is as absurd as the inventions for perpetual motion, and will work about as long. The honor and

dignity of a Minister depend upon his being looked up to as the head of his office, but what will his position be when his subordinates may tell him to go to the ———, that he has no power over them, and that the four members of the Cabinet will not let him be dismissed; such will be the obvious working of this arrangement (even if the words are not said), under this new and most unique and unparliamentary invention. I hope the time is not far distant when such absurdities will be laughed at, and that honest members will have an honest ministry. Whenever the Parliament of England has become corrupt beyond endurance men like Hampden have sprung up to defend the public rights. That the Parliament of this colony is corrupt beyond endurance, I boldly assert; and nothing but Parliamentary reform can save the colony from being ruined by the Parliament.

I now most humbly beg to submit my propositions for purging the Parliament: first—The present act of Victoria for the prevention of the bribery and corruption of voters should be made more distinct and stringent, and at election time the Government should furnish large printed proclamations containing the most important clauses in the act to be posted against the hustings, and other places where the election takes place (the necessity for this precaution is fully shown in some letters published in the *Newcastle Chronicle*, inserted at the end of this pamphlet), and the returning officer should be empowered to see that the clauses of the Act are complied with, and when they are published in an abstract form and made conspicuous, I believe these precautions will be all that is necessary to protect the candidate and voter for the future at elections.

The first important element in my Reform in Parliament is to pay the members a moderate but sufficient sum for their attendance at the Parliament House. The attendance to be conducted in the same manner as if on a jury, and the payment to be made personally after the House adjourns and on the same day only.

Second—the members shall affirm or make oath on the first taking their seats, that they will not solicit Ministers or other officers having power to grant appointments, but will abstain from taking any action, or using any influence, directly, or indirectly in obtaining places or posts of profit or honor—and that the Ministers be wholly responsible for the conduct of the Government servants. (This does not apply to the officers elected by the voice of the House).

Third—any Minister who shall be solicited by a member, or, any attempt to influence a Minister to grant an appointment shall be deemed an offence equal to tampering with a juror, and the Minister shall have the power to impeach that member before the House, and upon his being proved guilty be expelled from the House, and a new writ of election be issued for his district.

Fourth—any applicant for Government employment, who shall

solicit a member to use his influence with a Minister, or represent to a Minister that he has the power of influencing a member or members' votes, or in any way tamper with the Parliament shall upon his being proved guilty, be at once disqualified for ever, to fill any Government office.

By framing these suggestions into laws the grievance the country labours under will be redressed; the members will act as impartial jurors, for they can have no interest but the merits of the matter brought before them, they will be obliged to pay attention to their duties, for it will be dishonourable to be absent and deprive them of their pay, which they will be honourably entitled to. Under this system there would soon spring up a new class of men who would educate themselves for legislative duties, and it would be the height of ambition to be eminent in the history of the colony, while at the present time it is hardly thought an honour to be a member.

The amount paid to the members should be as small as could be offered to them with dignity, not from the fear that it would be too large a drain on the public purse, or that the services of honest members would not be worthy of the highest reward, but for the object of keeping out of the House purse-proud presumptuous ignorance, for as soon as that class of members find there is no profit attached to being admitted to the House they will desert it, and find some more congenial field of action, and I should like the time to come and that soon, when these gentlemen would feel as happy in the Parliament House as a known London pickpocket would be at an Oxford College.

The colony at the present time has this alternative—Reform, or Repudiation, for it is as impossible to carry out the necessary measures for the welfare of the community, as it would be to make all the members disinterestedly honest. It is not the present Ministry that are answerable for all the deficiencies and statements that I shall show, but past Treasurers and Ministers must take the odium, and a happy thing for them they are not Russian subjects. There have been statements published that during the American War their Government was robbed of ten million pounds a year. Now, this will be a favourable opportunity of comparing national and colonial account keeping. Fair or gentle reader, the sooner I go into figures the sooner I shall satisfy your curiosity. Figures are the most wonderful things in the world, they can be made to lie and made to tell the truth; they are most dull and uninteresting things, or the brightest objects, in fact only surpassed by the bright eyes of a loving wife who has just wheedled her husband out of a good large cheque. I often picture to myself Lady Charlotte Guest's drawing-room on the occasion of her servant delivering a small leather box to her; all the ladies were in a state of excitement to know what could be important enough to be brought in amongst so much loveliness; to numerous enquiries and guesses, and to

gratify their curiosity her ladyship said she would show them the contents; a large sheet of paper was all it contained, a balance sheet; what is a balance sheet was the next enquiry. I will explain these figures and show an income of a thousand pounds a day, and every one could understand them. Oh, the brightening of the eyes, the ecstacy, the joy, of beholding so much wealth, it must have been a scene that would have been worthy of the Derby Frith to paint. I only wish that I had half as cheerful a prospect before me, but I must now plunge into figures with the same courage that you do into a cold bath on a winter's morning.

The Government Balance Sheet is the Statistical Register; and the one for the year 1867 is the last one published; yet this is June, and I am informed that the returns from which the register is printed are not ready, and will not be completed for the next two months, so by the time the balance sheet is printed the public accounts are a year behind hand to the disgrace of the heads of the departments, only imagine what an English banker or merchant would say and do if his clerks at the end of the year were to tell him that his balance sheet would not be ready for the next twelve months. The Ministers act as the trustees to the public, and they ought to be more accurate and punctual with the Government accounts than any private individuals need to be, but there is this excuse for Ministers, their time is so taken up in coaching the members they have no time to see how the amounts are cooked, so my figures, except in some departments, only show the state of things up to 1867—but my railway statements are to the end of 1868. The *London Punch* humourously described a *Bradshaw's Railway Guide* with its ups and downs as a perfect puzzle to the general public. Now what can an ordinary reader make out of a single volume of the Statistical Register? why it is, as a means of giving useful information to the public a perfect fallacy, the most costly book to compile and print, one that is hardly ever looked into, never read, but thrown by as waste paper. The American Statistics are published in neat octavo volumes by commissioners who compile and arrange their matter in such a way as to be useful to refer to and interesting to read, the best treatise that is to be found on wool and the wool trade is in one of these volumes.

I will now begin my statistics and will endeavour to make them readable if not interesting, and if I describe some things in a way that Treasurers may think frivolous, I beg that they will excuse me, as I write only for the million. First, the Government Debentures I will describe. A debenture is a written and printed acknowledgement of a debt, signed by the Governor, Treasurer, and other officers, it is printed with printer's type in red and black ink upon a sheet of good paper, the amount they represent is a £100, or a £1000 printed in the middle of the sheet, the sides of it are covered with tickets called coupons, on which is printed the date and amount of interest that you are entitled to receive; these coupons extend for thirty

years, they are divided by lines to show where to cut them off, and when the last one is used, the remaining part is to be sent to the Treasury to be exchanged for a new and perfect debenture. Debentures are divided into two classes—terminable and interminable; practically to the Government they are all interminable; for they have never been paid except by renewals, but the holders of terminables are entitled to their full amount in money when they are due.

The purchaser of an interminable debenture does not buy a bill for £100, as I have known many imagine, because they see that amount on the face of the document, but an income of £5 a year; and if they want money, they must do the same as the Government, and sell the debenture (generally through a broker) for what they can get. The late Treasurer wanted to sell a large amount in debentures for eighty-four pounds each, they are now worth a hundred and two pounds; so by the difference in the price on three millions with charges, the colonists would have lost more than half a million by the Treasurer's financial bargain. A debenture is a good security when the money it is sold for is employed in good substantial national improvements. The money was obtained for our debentures for the express purpose of constructing railways, and the public were led to believe the money was expended upon them, and as there was no reason to doubt that such was the case, and as the lenders, more especially those in England, knowing that railway property of the kingdom is collectively the best security in the world, and pays a higher interest than the English funds. Capitalists knowing the intrinsic value of railway property, and if possible, railways are more necessary to develop a new country than an old one, the resources of the colony reported to be inexhaustible, and only wanting railways to bring her treasures to market, there could be no doubt as to the security of any reasonable number of millions spent in making railways; neither is there a doubt in such security. But the security is wanting. The money has not been spent upon the railways, and they have been made the excuse for borrowing money. The amounts of borrowed money is accurately shewn, but how the money is spent, there is no means of showing, except that it is not all spent upon the railways. The figures that I give are from the returns published by the authority of the Government, and are for the years 1863 to 1867, but as the returns are not yet published for 1868, I shall give the increase of debt for that year on the average of the previous five years, for a few thousands more or less on the last year only can make no material difference to my statements, and I should not include the year 1868, if my railway returns did not come down to that date. The following table shows the totals of the gradual increase in the issue of debentures sold each year, the amounts they sold for, and the yearly interest paid on the amount that is on the face of the debentures issued, not on the amount of money received for them :—



## DEBENTURES TABLE FROM GOVERNMENT RETURNS.

Year.	The amount on the face of the Debentures sold.	The interest paid for the year.			The money received for the Debentures.		
	£	£	s.	d.	£	s.	d.
1863	5,802,980	289,946	19	4½	4,673,195	11	5
1864	6,073,180	306,158	19	4½	5,231,348	10	10
1865	6,163,830	291,264	9	4	5,749,630	0	0
1866	7,179,630	324,210	9	4	6,958,326	4	6
1867	7,786,830	338,809	9	4	7,486,748	4	6
1868	8,183,499	400,000	0	0	8,000,000	0	0

NOTE.—The amount of Debentures issued, shown by one of the latest newspapers is £9,024,330.

The last years' figures approximate near enough to truth, and shew that eight millions have been received for the ostensible object of constructing railways in the colony. The public belief is that the money obtained for debentures is only for the construction of railways, there is no question of; the newspaper press of the colony write leading articles stating it as a fact, and only doubt if the railways will earn the interest of the money. The first debentures on the Government books were for railway purposes—the three millions of notoriety was for railways—the last debentures in the statistical register is for railways—debentures sold to pay off debentures were only renewals, or continuing the loan of money spent on the railways—works and railways are so mixed up in the Government accounts that they might be fairly taken for one and the same thing. The votes of the House for the appropriation of the special amounts, the capitalist knows no more about than to whom the money is paid; but if the money is not spent on the railways, the Government agents in England have a right to be informed of the object for which the money is borrowed, and then if the lenders know that the money is only to support an extravagant Government and then lend it at the same price as if for the construction of railways, the lenders then cannot complain of being deceived. How far the money has been employed for this object, the lenders will see immediately by the railway returns up to 1868.

## RAILWAYS.

The railway returns up to the 31st of December, 1868, show that the total amount charged to all the finished railways open for traffic to be £2,881,261; this amount, if expended by a Railway Company, would be called the capital account, and would represent the original first cost of the construction of the lines, and the rolling stock placed upon them, and from the first day the line was opened for traffic a fair per centage is charged to the working expenses of the line, or deducted from the general profits, for the

maintenance of the permanent way, *i.e.*, to keep the road in good order, and for the wear and tear of the rolling stock, and to keep the property up to its original value. In this way the shareholders of the railways are protected from the depreciation of their property. All the good railways in England and France have, from the liberal amount allowed for the above object, so secured the intrinsic value of the lines that they have increased the property immensely. In the early history of railways, what the necessary per centage would be was an endless source of discussion; and to decide upon the question is a matter of greater difficulty than would first appear; for it will depend upon the capital invested in the line, and the quantity of goods carried, and the number of passengers, all giving different results; time and experience has adjusted the per centage to the loss, and a liberal allowance is the safe side. I write these short descriptions to show what is done and ought to be done, and to expose the conduct and difference in the management of the Government railways in the colony.

The Parramatta line was the first opened, and constructed under almost endless difficulties. What the original cost per mile was on the first day it was opened for traffic, I have not the means of ascertaining, but I can show the nominal cost per mile in the year 1866, for before this year there is no account in the statistical register that I can find to throw any light upon the subject.

From Sydney to Parramatta (thirteen miles) total accumulated expenditure upon the line up to the year 1866, £614,828 3s. 4d., making the nominal cost per mile, £47,294, in that year, but as £15,270 was expended on the line in this same year, the cost per mile is eleven hundred and seventy-one pounds more than it was in 1865.

The expenditure up to 1867, is £621,897 15s., or £47,838 per mile, making an increase of five hundred and forty-five pounds a mile nominal cost more than in 1866.

The expenditure up to the 31st of December, 1868, is £637,384 10s. 7d., or £49,293 a mile, making an increase of £1188 nominal cost price of the line per mile more than it was in the year 1867. At the same rate of increase the Parramatta railway, in a certain number of years, will stand upon the Government returns as a property having cost a million, and that it will represent a valuable property to that amount. Returns so made up are just as honest as if the amounts expended in fire-works and triumphal arches used to receive His Royal Highness the Duke of Edinburgh were carried over year after year to represent public property of real value. The amounts of the Parramatta line are taken in preference to any of the others to show the principle on which all the railway accounts are kept. It is not at all improbable if the damages had been recovered by His Honor Judge Cheeke, for his injured horses, they would, some time ago, have been charged to the cost price of the railway—the smashed horse boxes are charged to that account, therefore why not charge the horses to the same

account and make things pleasant, for how can the public know anything about the accounts, and unpleasant ones are to be kept out of sight.

The total amounts charged in the manner that I have described is up to the 31st of December, for the year 1868 only, and it is £62,622 16s. 5d., and one item in the accounts is £19,630 8s. 11d. for rolling stock. It is obvious that rolling stock in a short time is as much used up as the coals, that fire the engines. Yet year after year it is charged to the cost price of the construction of the railways.

The total net earnings of all the lines open for traffic, after paying the working expenses, is stated to be for the year 1868, £82,747; this money is called the receipts; but for several years there has always been less money paid into the Treasury than the amounts received or shown to be received, as I shall show, with one exception only. And then there is £6,130 too much given credit for in the year 1866. The £82,747 of supposed profit or earnings is said to represent or to pay some three and a half per cent. on the capital spent on the finished lines, but it is a fallacy; for in all honesty, the £62,622 spent in rolling stock and maintaining and upholding the lines, ought to be charged to the working expenses, or deducted from the receipts of the lines, and then there would be left £20,125 to pay the interest on nearly three millions of borrowed money, giving an interest of about thirteen shillings and sixpence per cent., or thirteen shillings and sixpence for what the Government pays five pounds for; and when I shew the traffic returns, this state of affairs will soon be easily accounted for. For the unfinished lines, there will be a separate account shown, for no property can be productive until finished, so all interest must be lost until that time, but as we are paying two thousand five hundred pounds a week interest for the borrowed money invested in the unfinished lines, so it is very questionable economy to employ the most dilatory contractors who, because they put in the lowest tender, obtain contracts, when it is known, or it might be known, that the greatest probability exists that they will not be able to carry them out; and if I am informed correctly, the Engineer-in-chief who is made responsible for the quality of the work, has not a voice in the choice of contractors. I believe that all contracts and tenders should be opened in public, and the press to report any remarks made, the Ministers only having the right to speak, or make inquiries. I will give some instances to show the necessity for some alteration in the present plan. Some time ago, tenders were advertised for the supply of certain property of the value of some fifty-six thousand pounds; one of the conditions was that a cash deposit of six thousand was to be paid to the Government. Arrangements were made by a person to have the cash ready, and he sent in a tender at the time stated in the advertisement, when to his astonishment he found out afterwards that indents had been sent to England for the property several weeks before the time of sending in the tender; and so the tenderer lost some thirty pounds interest of money by the Govern-

ment; also the most extraordinary confusion of tenderers' names and securities have taken place. Now if these two instances have come to my knowledge with my very limited opportunities of acquiring information, it is probable that other irregularities may have occurred, that are injurious to the public service. The first of these statements may be easily contradicted, or proved by referring to the advertisements in the newspapers, and to the time the indent was sent to England; and there can be no difficulty in tracing the tender, from the very unusual stipulation that a six thousand pounds cash security should be given. Now the only natural inference that could be drawn from such conduct in a Government department is, that some one must have had some peculiar interest in the contract. I could also show contracts for supplying work to the Government on such unusual conditions, and in so different a manner to the custom of the trade that supplies such work, that I could not believe the fact possible until unquestionable authority convinced me, and when it is known there is constant communication between such contractors and the officials, it lays the department open to suspicion, Government departments should be like *Cæsar's wife*, above suspicion.

I am indebted to the kindness of the Minister of Works for assisting me in obtaining the following railway returns for 1868, and if the public derive any benefit from my investigations it will have arisen from the most essential qualification that a Minister can possess, namely, a doubt whether his qualifications are equal to his office, for he will then seek for information, and if he cannot find the necessary clearness in the Government accounts, instead of passing them as his predecessors have done to hide their ignorance, wants to understand what he signs, and if his department cannot make the accounts sufficiently clear to be understood, naturally suspects something wrong. If all the Ministers would act in this way we should soon have some curious revelations in the public accounts. But Ministers who doubt their own qualifications are few and far between like angels' visits.

The only real security to the public is to have men in office of unblemished reputation, and known integrity, and when we have a reform in Parliament House, we may hope to have Ministries formed of such men, but until that event comes there will go on in Parliament the usual struggle for place, to pocket the public money, and the least scrupulous are the most likely to get it.

The returns of the four railways showing the number of passengers carried, the tonnage carried, the amounts received for passengers, for tonnage, the miscellaneous expenses, the working expenses, the net earnings, increase and decrease, extending over five years, would make twenty returns, that would require a volume of figures, and then to the general reader, not be so clear an account as the abstracts I shall give for the years 1867 and 1868, but if the accuracy of my figures be called in question I shall be happy to show the tables that I have made from the Government returns, to his

Excellency the Governor, or any one whose authority I should consider entitled to the information. The first Railway on the list is the Great Northern or Newcastle line lately extended and opened as far as Muswellbrook. The passenger traffic is considered the most profitable railway work, but the tonnage in this colony yields the longest amount, I begin my returns on this line by this most extraordinary statement,—that the more passengers carried on the line the less money the Government receives, and the deficiencies according to the ordinary rules of arithmetic between the sums earned and the amount paid to the Government is enormous. The two last years shown being by no means the most unfavourable account of the deficiencies, previous years being much worse.

#### GREAT NORTHERN OR NEWCASTLE LINE.

This table will show, A the year, B the number of passengers carried on the line, C the average passage money paid by each person, and the sum each ticket was sold for, D the total amount of money said to be earned, and all that is shown in the returns, as paid into the treasury, E remarks.

A	B	C	D	E
	Pas.	s. d.	£ s. d.	
1867	129,383	3 3	21,115 14 0	£287 less money in 1868, though 57,240 more passengers are carried at 3/8 each. £9,303, this deficit, is less than half the deficiency on the amounts of the previous years.
1868	186,623	3 3	20,828 0 0	

The next item is the miscellaneous receipts that vary in the same on greater proportion to the passenger traffic returns:—

1866, £5,256; 1867, £1,022; 1868, £2,250.

The rates for tonnage without the extended tables which I have made to show the increase and decrease, and the average rates for the various amounts received each year would be difficult to be understood by the general reader, but I will extract items to show the nature of the returns: In the year 1865, an increase took place on the tonnage of 28,208 tons, and £533 is the amount said to be received for the carriage, when according to the average of goods carried the previous year, and the same and following year, this amount ought to have been more than £3,500 pounds, in 1867. We have 9,425 tons carried for £2,549 in the year 1868, 63,337 tons carried for £3,044.

The working expenses have increased from £37,275 a year to £56,494; the net earnings after paying working expenses are £22,887, and improved to £26,166 a year: this last item that is made to appear a profit, is a fallacy, for if the upholding of the line was charged for, it would be nil—or, show a loss as I have proved before.

This Newcastle line, until the 1st of January, 1869, has been managed in the following manner: Unlimited absolute control has been allowed to the traffic manager. He has paid what money he

liked into the bank, drawn what money he required out of the bank, and sent money down to the Treasury: No private owner could have had more control over this property if he was sole owner than this fortunate manager has had over this particular railway. The irregularities during the five years, that my tables are made for—show peculiarities in the accounts, that would make discrepancies involving upwards of a hundred thousand pounds, according to the manner of keeping railway accounts in other parts of the world.

This first railway out of the four, the Member for Newcastle eulogizes in this style in the Parliament House. The officers were most meritorious, the line was admirably managed, and there never was an accident on the line since it was opened. (See letters published in the *Newcastle Chronicle* at the end of the pamphlet.)

The next railway on the list is the Great Southern, or Goulburn Railway. The heading for the first railway table applies to all the lines, so need not be printed over every return.

#### GREAT SOUTHERN OR GOULBURN RAILWAY.

A	B Pas.	C Each s. d.	D Amount received £ s. d.	E
1867	218,541½	4 1	44,993 0 0	208,766 more passengers in 1868, at
1868	427,307	4 1	51,685 0 0	4s. 1d. each, £42,632 10s. 6d., de- ficit on the amount of earnings for 1868.

Miscellaneous receipts for 1867, £3,126, for 1868, £1,905

	Tonnage of goods.		Amount received £ s. d.	
1867	62,036	15 0	46,790 0 0	The average received for goods is
1868	68,936		54,600 0 0	greater in 1868 than 1867, but the lines have been extended.

The working expenses for 1867, £63,377, for 1868, £87,780.

Net earnings shown after paying working expenses for the year 1867, £31,743, for 1868, £22,815. Upholding the line is not included in the working expenses. The returns for this line show the most extraordinary differences as one item, £42,632 deficit on the passenger traffic for 1868. Eastwood, who left the colony had the control of the money matters on this line much in the same way as described on the Great Northern, and the amount of the deficiencies appear to be so great that I will not approximate the sum. Either the railway officials must confess that the whole of the accounts are a waste of paper that they are written and printed upon, or such management would ruin the best-paying railway in the world. At a glance on the first figures, you may see if the passengers are double in number, there ought to be double the money, more particularly as the lines are extending, and during these two years I never heard there was any alteration in fares.

#### GREAT WESTERN, OR BATHURST RAILWAY.

A	B Pas.	C s. d.	D £	E
1867	46,779	5 5	13,704	33,909 more passengers in 1868, average
1868	80,688	.	19,220	5s. 5d. each, £9,184: this shows only a difference of £3,668, and much of the increase may be said to be short traffic.

In answer to this probable suggested means of accounting for these differences, 82,040 persons were carried in 1864 for £13,276; in 1867 only 46,779 persons were carried for £13,701,—at once showing, as well as such accounts can show, any thing that the average cost of each ticket must have doubled lately, and the later the date the longer the line.

The miscellaneous receipts are: 1867, £165; in 1868, £235. The tonnage in 1867 was 21,881 tons, the amount received about 15s. a ton, £15,852; in 1868, the tonnage is as nearly as possible, £1 a ton, £27,480; for carrying 27,535 tons, the increased charge per ton, and the larger quantity carried, show an increase in the receipts of £5,654; but unfortunately the working expenses also show an increase the same year of £6,143, besides the deficit as above shown of £3,368, thus coming back to my first statement that the more work done the greater the loss.

I must, as the auctioneers say, now call your attention to the Richmond Railway Line, and I do not know that I can do better than describe its advantages in their language. Sir John Young on one occasion said, "That an auctioneer in Ireland being at a loss to describe the merits of a certain piece of land, described it as a gentlemanly piece of land, from the difficulty to know what possible use could be made of it." A fellow traveller of mine pointed out one advantage this railway had over all others, for if you lost your hat, you could always get out and run after it, without the chance of losing the train. Auctioneers always begin by describing the present or prospective advantages of the property in hand for sale. In describing this railway, I shall be obliged to have recourse to the expedient of Sir John Young's auctioneer, and describe it as a gentlemanly railway, for I am afraid that any further particulars will not enhance the value of the property, but as I have not the property for sale, I can afford to be candid. The traffic from the first year to the last has fallen from twenty-three thousand to nineteen thousand passengers, the receipts from four thousand to three thousand pounds a year, and even the Government is candid enough to admit that it cost them out of pocket £1,328 for the first, £265 for the second, £404 for the third, and only £60 for the last year; but the interest of money for the cost of the line is in addition to this loss, and never shown in railway returns. This railway is the last in the list of the Government railways, and I hope the last quack railway the Government will ever make. I now go from railways to trains, and all trains seem to be equally badly conducted, for Train's Pitt Street Tramway still stands as Government railway property for the amount of £4,878 7s.; the fact of it being removed and the materials sold, make no material difference in the railway returns. The character of the invention and the inventor and the Minister who introduced such an invention into Pitt Street, is in perfect unity with the character of our railway management.

Now as the drapers say, the next article—the Newcastle Cranes. The Cranes are in some way or other mixed up in the railway

accounts, for in one year in the miscellaneous receipts of the Great Northern Railway shown in 1865, £6,305 increase under the above head, and this is the only record that I can discover in the public accounts of those interesting engineering curiosities. I humbly submit that I ought to be well informed on the above subject, for my brother had the contract for working the Cranes for two years, and we often discuss the subject. The interest that the Parliament has taken in them is proved by the endless discussion they have afforded, and one of the last questions brought before the House when it adjourned was an enquiry about the working of the Cranes. During the term of the two years' contract the subject of the Cranes was never brought before the House, thus saving the time usually occupied in discussing them. The Minister for Works furnished me with the latest returns of coal shipped by them, as he could not make them out, and they are equally incomprehensible to me. The zeal of the members of that district induced the late Minister to grant the present contract to a friend of the traffic manager, and the letters at the end of the pamphlet will show the great interest they take in the railway matters. The present contract is taken at less price than the previous one, let to my brother, but the dilapidations to the Government property, and the future outlay will terminate in the usual result of cheap contracts.

I shall now show the total earnings including all the miscellaneous receipts of all the railways in the colony from the year 1863 to the year 1868 for each separate year, and showing the amount paid into the Treasury from these receipts, and the excess over the total earnings, and the amounts less paid into the Treasury than the earnings, and the railway accounts show no balances of any kind brought down from year to year.

			£	s.	d.	
1863.	Railway Receipts .. ..	133,601	15	10		
	Paid into the Treasury ..	129,468	18	5		
	Balance ..	4,132	17	5		Deficit.
1864.	Railway Receipts .. ..	147,859	12	9		
	Paid into the Treasury ..	145,812	19	1		
	Balance ..	2,046	13	8		Deficit.
1865.	Railway Receipts .. ..	167,221	9	7		
	Paid into the Treasury ..	163,349	18	3		
	Balance ..	3,871	11	4		Deficit.
1866.	Railway Receipts .. ..	170,116	16	6		
	Paid into the Treasury ..	176,246	0	7		
	Balance ..	6,130	0	0		Excess, or more than has been earned.
1867.	Railway Receipts .. ..	191,354	9	7		
	Paid into the Treasury ..	188,610	6	9		
	Balance ..	2,744	2	10		Deficit.
1868.	Railway Receipts .. ..	224,358	13	7		

Treasury Receipts not yet published. The deficit I am informed corresponds in amount with the previous years



These deficiencies may be from unaccounted for balances not brought over or shown in any way, or the money may be in the hands of some of the officials yet; but for the officials to have paid £6,130 more into the Treasury than the total earnings of the railways for that year, I can offer no suggestion to explain or account for, except the figures in the returns are wrong; but the arithmetic I have checked, I have always found to be perfectly correct, and never discovered a single error.

The railway returns up to the 31st of December, 1868, show the total amount paid on the finished lines to be £2,881,261 16s. 1d.; on the lines unfinished, £2,319,465 6s. 2d.; total amount paid on account of all the railways, £5,200,727 2s. 3d. The amount of debentures issued up to the last date published in the newspapers, £9,024,330. The amounts charged on all the railways as the cost of construction that should come out of the earnings for the year 1866, £41,218 9s. 1d.; 1867, £52,568 10s. 7d.; 1868, £62,622 16s. 5d.

To make my Railway Capital Account clear to the very lowest intellect, I make the following comparison:—If a man was to go out and get drunk, and spent five pounds, and because he bought a new hat with part of the money, when he got sober, would he value his new hat at five pounds.

Now, if we were to make a sober valuation of our railways and calculate interest on their fair value, the result of my investigations convinces me that from receipts shown, and from the enormous discrepancies in the accounts, that if the railways were properly managed and the accounts kept in a business-like manner, the lines now opened would show a fair interest of money for the amount that might reasonably be called the cost of construction. The true figures are, that we have borrowed £9,000,000 for railways and spent about £2,500,000 on the lines opened for traffic, and I am sure that I could prove my assertions by comparisons with other Railway lines in different parts of the world, but such calculations would be quite out of place in a political pamphlet. The reason that I have given so many figures on our railway accounts, is to prove the necessity for immediate reform in the Parliament, and bring pressure to bear on that one point; and every abuse is shown up for that object, for every abuse may be redressed if we had a Parliament honest enough to do so.

#### CUSTOM HOUSE.

I will now show some most extraordinary fluctuation in the Custom House returns. If we had had the same violent earthquakes in the Colony that have destroyed the coast of South America lately, it would have been a good reason and sufficient cause to account for the variations in the amounts shown in the different years; but, as such events have not happened, so some other cause must be discovered to account for these fluctuations, and it is possible for foolish legislation to destroy commercial prosperity, and utterly ruin it, as surely as an earthquake can destroy the surface

of the earth. The Germans have a proverb, "That when God wishes to punish a country, he deprives the rulers of wisdom. That we have been punished in this way most deplorably is proved, by the amount of destitution, want of employment, and the real grievances from the wealthiest squatter down to the pauper. In the year 1867, the imports £6,599,804—making a difference of £2,267,273 less in the last year: And such figures are published by the Government for the public information. I respectfully inform the public such figures are a fallacy and a snare, and that such publications are most injurious to the interests of the Colony.

The ad valorem duty commenced in 1865, and £2,010 was collected in that year: and the imports were shown to be in 1865, £9,928,595, so the difference between 1865 and 1867 in the imports is shown to be £3,328,791, making the total imports fall off considerably more than half in their amount in the course of the two years, and if in the year 1868 our imports fall off in the same proportion, in a very few years we shall have no imports at all. A state of things that the most rabid protectionist could hardly desire. Such is the state of things shown by the Government figures.

I will now prove the demoralizing influence of our Government on the importers of goods, by their silly laws.

Merchants, manufacturers, and dealers have a perfect and just right to put what value they choose on their own goods, and it is a known, and obvious principle that goods are over-valued, and the imports of 1865 were valued according to the usual custom of trade. Now, directly the ad valorem duties are introduced all this usual custom of trade is reversed, and every expedient is used to evade the payment of the five per cent., and as this law became more widely known by time, operations are carried out more generally to evade the law. Hence, the wonderful reports of the falling off of the trade of the colony, and that in the face of an increasing population and accumulating invested capital; that from natural causes and circumstances out of the colony that trade has been very unsatisfactory for the last few years is beyond question, but the absurdity of the above returns is so self-evident, that further comment is unnecessary on the subject. I will now submit the per centage on the difference between the amounts of the imports of 1866 and 1867: on the last year it is 25 per cent. less, or off the amount of 1866. I do not go into fractions less than one cent., but the ad valorem duty for 1866 is £156,350; 1867 is £104,739, which is thirty-three per cent. off the previous year.

				£	s.	d.
The amount received for the duty on Spirits in 1865 ..				326,649	0	0
" " " " 1866 ..				325,788	0	0
" " " " 1867 ..				336,739	0	0
Tobacco in " 1865 ..				75,485	0	0
" " 1866 ..				55,634	0	0
" " 1867 ..				61,696	0	0
Tea in 1865 ..				69,863	0	0
" " 1866 ..				43,657	0	0
" " 1867 ..				56,709	0	0

In the year 1867 there is an increase of duty paid on all the articles of general consumption over the previous year, though a decrease is shown to the amount of £41,371; but as the ad valorem duties are included in the same list with the articles of consumption and there is a deficiency of £51,611 on that one item, so the real increase for the year is £6,240. I wish to make it clear the trade has not fallen off in the articles of necessary consumption for the comfort of the population. The ad valorem duty is the public grievance, it has already driven the chief part of the intercolonial trade from our ports, and will drive away the balance that is left if the law is in force much longer: it tempts every merchant, custom-house agent, officer, and employée to commit fraud. From the absurd reports of the falling off of the imports, the unsettling the trade of the colony, and the numberless annoyances, and the amount of ill-will that the general public is not aware of that arises from this silly impost would be incredible, and if a fair estimate of the damage done to the colony, the cost of collecting this duty, and the numerous evils that have attended it, could be given, in money value the duty has cost the colony ten pounds for every one collected from it. The true way to collect taxes from the customs is to put the duty on the fewest number of articles that will practically furnish the necessary revenue; and the fairest way to adjust the duty would be to make the percentage uniform, according to value of the article; but to prevent the endless disputes as to the value of the article, every one should have a definite value given to it, and the qualities of the various goods should come under different classes, and the class to which they belonged should be first stated by the importer and sent into the customs and then inspected by competent officers, who should have no access to the report sent in by the importer, nor should the importer or agent know what officer would inspect his goods, and if any dispute arose a second inspector should be sent, and any further disagreement then a third inspector sent, the merchant having to pay a moderate fee to the custom-house for every inspector after the first one, if the importer is in the wrong, if otherwise, no charge to be made; if all three of the inspectors agree in the report their decision to be final; but if the importer be still not content with the two out of the three officers' decisions, the customs authorities to have the power to call in three impartial merchants conversant with the quality of such goods, and their majority to be final. The only dispute that could arise is the class to which the goods belonged. My attention has been called to this subject, which I submit with great deference to those better informed on the subject; but it does not seem just to only charge the same duty on two sugars one double the value of the other; and I believe that a pound of confectionery only pays the same duty as a pound of sugar. To make my meaning clear to the general reader what I propose is:—say tea, first-class, 2s., duty 25 per cent, 6d; sugar, first-class, 4d., 25 per cent, or 1d. a pound duty; sugar 3d. per pound, 3d. duty. That the Custom House wants reform is

shown by the late squabbles with the authorities; a solitary instance that came to my personal knowledge is that a case of goods that at 5 per cent. should have paid £13 10s. duty was passed for some thirty shillings, and it was only by foolish boast that I saw the transaction. The complaints in the *Herald* were that salt was passed at the Custom House, and that even the difference in the duty from the great difference in the valuations would be a profit. The value of a ton of salt in Sydney is as publicly known as an ounce of gold. Sir Robert Peel, in one year, took the duty off one hundred and fifty-six articles; so when we have a reformed Parliament House, there will soon come a reform in the Custom House.

To take the most cursory view of the abuses of the different Government departments would fill volumes, and it is only the most important offices and conspicuous objects that I comment upon to prove the necessity for Parliamentary reform.

#### LAW.

A man must have more than Quixotic courage to attack the law; to attack windmills is nothing to it. Lord Macaulay, in his essays, shows that lawyers are the hired assassins of civilization, and as their weapon is their tongue, I will try what I can do with my weapon, a pen. Law is the foundation of property, and personal security; and the Magna Charta of the Barons of King John said that law should not be bought nor sold, but every man was to have justice free of charge; those old barons had noble ideas of justice, though they had rough manners, and adopted strong measures. Whether the laws have improved since the days of King John is doubtful; that they are altered there is no doubt of; and that the character of society alters with good and bad laws, there is no doubt of that, and that the corrupt administration of the law is the greatest calamity that can befall a country is proved by the downfall of every country in which the evils existed. It is a historical truth that the Inquisition crushed liberty and energy out of Spain; and though they have now broken their chains, they appear not to be able to use their liberty. The iniquitous law of slavery caused more blood to be shed in America in two years, than the wars of the continent of Europe in twenty, and this one step from injustice to justice is worthy of the sacrifice. If Spain shows the result of bad institutions, and America the cost of doing this one act of justice, beware Australians, and watch the administration of your laws, for you have one institution in your midst, which is a more despotic power than is possessed by, or would be used by the Emperor of Russia, and a power that the Emperor of France dares not use; for if he did, and sufficient publicity was given to his usurpation, Paris would soon be in a state of revolution. This power that exists in your midst is the power to set at naught, despise and ignore the decisions of the magistrates; that such is the case, the most flagrant instance will prove, and one that has occurred not very long ago.

The necessity for a grand jury is greater in a small community than a large one, and in England this jury is the bulwark of the impartial administration of justice. I am acquainted with the working of the Grand Jury, for the last jury that I was on in England for ten days, was the Grand Jury, Old Bailey, London. By the Grand Jury a man may be said to have three distinct trials, and only at the third court can he be convicted, and when a true bill is not found by the grand jury, the individual may be said to leave the court without a stain upon his character with truth. We had one case before us and we condoled, and commiserated the prisoner, and yet it was a charge of murder, a mother was supposed to have murdered her two children; now suppose such a case in the hands of the Attorney-General overwhelmed with private business, and of an indolent temperament as many eminent men are, and that not sufficient attention was given to the merits of such a case, on which there are no fees whatever, the prisoner in gaol, poor, and unknown, and the business being of a public nature must take its usual course, for it is only common human nature, or even compelled by circumstances to take more interest in what most immediately profits us, rather than the welfare of the public. Then from such causes as above this poor woman might be advertised as a murderess, by being put on her trial at a full court, and it is possible that murder might be the result of such legal proceedings, for the poor woman from the terrible nature of the accusation of such a crime in the presence of a full court, with Judges in scarlet gowns, full wigs, and the imposing material of a full court, is enough to frighten a woman to death, when you consider the previous depression and great excitement of the exposure to the public gaze (this is no overdrawn picture, for lately in a perjury case in the court here, a woman was in the court one day and a corpse the next).

I will now describe how the poor woman was treated by the Grand Jury, London. The court was like a large private court, or office, in which there were sitting or standing about some twenty-five or thirty gentlemen, jurors, and two or three officers of the court. The woman was brought in and treated with the deference that her sex demanded; she was then addressed by the foreman of the jury, who asked her in a quiet gentlemanly way to explain the nature of the occurrence for which she appeared before them. In this court the jury only have the privilege of examining prisoners or witnesses, but a solicitor may make any statement of the facts of the case, for or against the prisoner, but the process is a very short one. The prisoner stated that she was in an up-stairs bedroom, when she was awoke by the blazes, from the house being on fire, and unconscious from fright, she put her two children out of the window, as the first means of saving them. After some soothing remarks were made to her on her great misfortune, she was then dismissed. The only witness called was a policeman, who stated the woman appeared quite unconscious of what she was about when he took her out of the burning house. That was the way the court was conducted, and the prisoners either dismissed or sent up to

the upper court, that was sitting at the same time. I should like to have a public enquiry to show what possible objection there can be to the establishment of the Grand Jury in the colony, to give the community the same protection here that they would have in England; for if in civil causes a man may almost have as many trials as he chooses, is it not an injustice to refuse a prisoner every opportunity to prove his innocence.\*

I will now show the opposite of this picture, to prove the absolute necessity for such a court. Instead of a poor woman take a wealthy man, and one with influential connections, having parliamentary power, legal power and money power, and these connections of his all feeling that they would share the disgrace, in having one of their family punished for crime. The Attorney-General is generally in a political position, and lately the office was held by the head of the Government, and suggest that the head of the Government, in one of those political crises that Ministers are in sometimes, what amount of suspicion would he lay himself open to by the commitment of such a man as described being ignored, and a parliamentary majority obtained, no man of high principles would lay himself open to such suspicion; and no one who has to administer justice, should be open to such temptations—no man of high honour would take such a position. That a man in private should have the power to say this man is guilty, because he has given me offence, this man is to be not guilty because of his connections. What is the difference between this institution and the inquisition of Spain? None. And if the outrages committed are not of the same character, it is because the manners of society have so altered as to make them impossible, but the iniquitous principle is the same, and as sure as one spark may burn a city, so sure will this one institution degrade the colony.

Parliamentary reform is the only means of abolishing this iniquitous institution or inquisition; for unjust ministers, unjust judges, and vindictive inquisitors are not historical varieties. To keep the fountain of justice pure, the light of publicity is the essential element.

The cursory view that I have given of this one point of the criminal law wants investigating, I hope I have sufficiently proved. I shall now give some statistical accounts of our civil law. The object supposed to be effected by the civil law is the legal protection of property, in distinction to what I shall call the police protection of property, from criminals, and where first law ends, or where second begins, ought to be called zoophyte law. This zoophyte condition of the law is the perfection of law for the lawyers; for if the laws were written as plain as the tolls at a turnpike gate, the people, for whom they were made, would understand them, and then what would become of the learned profession? Learned profession, do not think that I have the vanity to suppose that anything that I may write,

\* The duty of the Grand Jury when discharged from the court, is to go and inspect the gaol, examine the food, and demand what prisoners that they request to be brought before them, and ask them any questions the jurors think proper. and if they have any complaints to make, and the jury send into the authorities a report, satisfactory or otherwise.

will take one penny out of your pockets. Lord Brougham worked all his long life at law reform, and only lopped a few puny branches off this huge Upas tree. I was on one occasion in the House of Lords, when Lord Brougham was laying down the law; it was in an appeal case, and after the case had been dragged through almost every court possible to bring it into, his Lordship decided the cause in these words:—"Has the appellant been paid the value of his property, because a man is negligent or a fool, it does not justify you in robbing him; I award for the appellant." I went away, impressed that high law was nothing to common law, for any fool could understand it. I will make only one more digression. I was the defendant in a Chancery suit, brought before Vice-Chancellor Sir John Stewart; and my experience of his court is what I should call grand law, and perfect justice. An eminent lawyer was pleading the plaintiff's cause with the volubility and intelligibility of the chattering of a monkey, when Sir John stopped him by these words, "Will you show me the particular point that I am incapable to comprehend;" after a long pause, and no answer, Sir John said, in the very broadest Scotch (that must be done into English, as the old books say), "Why, you have not paid the man, until you pay the man, you have no cause of complaint; I refuse the injunction." So there was an end of the case, and my experience in high law, but my attorney's account is by no means included in my encomium.

The first and most important item under the control of the law is landed property. The essential materials for the conveyance of land is parchment, wax, pounce, seals, red tape and sundries; the parchment must then be covered with words, that are sold by the tale, so more words more money, and every seventy-two is a tally; in law writing it is not necessary to have sentences or stops, but the words run on like water out of a tap—executors, administrators, and assigns, commonly called ex, ads and ass, are the principal words that constitute the document. The description of the property that it is obvious might be of some use, but the lawyers have nothing to do with that; the surveyor furnishes the description, and is made responsible for it, and a wise man would see to that himself; the deed is engrossed, that means copied; indented, means notched, and when you have all this done you may find your title worthless, and then you have, or used to have, the deed enrolled; when I was a boy, and used to pass the Rolls Chapel, and Rolls Court and buildings, I thought that it derived its name from the lawyers in past days having had rolls for breakfast there; but when I was a man and had occasion to go into one of the buildings, imagine my surprise to find the place like a draper's shop, for it was full of rolls, not of calico, but parchment, and as I had occasion to search the rolls, after undoing some yards, for they were at least thirty yards long, to my horror, I found Brunel's Patent for making shoes, tacked to a Patent of Nobility. The invention of Books is only legally known to the courts within the last few years, say fifteen to twenty years, and when they

made this discovery they insisted all the leaves should be one size, and that particular size they made a law for. I write this to show how the lawyers have kept up in improvements to the modern times. The security valued next to land is national funds; the funds of England are eight hundred millions; yearly interest paid, thirty millions, and this property is dealt in daily to the amount of millions, and so great are the dealings in stock or funds that if it was possible to convey this property by parchment and legal formality, it would require an army of lawyers, and the legal costs would eat up the total amount in two or three years; and all this immense business is done because the lawyers have nothing to do with it. The Torrens Act, for conveying and securing property to individuals, is on the principle of the books kept for the national debt, and when your name is on the books, your property in both cases is equally secure. I have now before me the bought and sold notes of seven hundred pounds consols, the bought note is dated November the 8th, 1830, £700 at 71½, £547; sold August 3rd, 1830, 99½ and 99½, £618 12s., and all the documents necessary to convey this amount of property are two slips of paper seven inches by three. I write this to prove that invested property, considered the best security, can be entrusted to agents, and the business done in a way that the most ignorant can understand, and that landed property can be so conveyed is beyond a doubt; all that would be required in addition is an accurate description of the property, which is the duty of the surveyor.

Torrens is the greatest benefactor to the colonies that ever landed on the shores of Australia; for he will not only save all the future law suits, of disputed titles of land that would take place, but will also save society from generating a class of men, who, from the nature of their occupation, distract the minds of men from useful occupations, and prevent for the future their ruining men in a monetary way, and and ruining men in a moral way; by this one department of the law, that will now soon be abolished, or obsolete. Charles Dickens is the greatest law writer of the day, and has done more, and laid the foundation of more law reform, than Lord Brougham. Dickens is entitled to all the honor he now receives, and more if possible; for his exposing the abuses of the law, and one of the best treatises on the curse of disputed landed property is to be found in his work, "Bleak House."

I will now go on to Debtor and Creditor law, and in Thackeray's work, "Vanity Fair," will be found a true description of the moral use, that ordinary commercial law, until very lately, could be put to, and that such uses have been frequently made of it is beyond a doubt. The story is that a Marquis of Stein lays a wager to debauch a Captain Crawley's wife, and the whole scene at the Sponging House,\* and every part of the picture shown is as true to nature as a building photographed is true to architecture. The lawyers wish to impress their clients that every form is necessary for the security of their interest, from the quality of the parchment to the quantity of pounce used, and if you omit to

\* Sponging house, the place where gentlemen are first taken when arrested.



place your finger on the seal the deed is invalid. Such are the awful mysteries of the law. That the law is a mysterious profession is so well known, that the uncertainty of the law has become a proverb, and the intelligence of the law cannot be better shown than by truly stating that law courts of comparatively late date have been occupied in investigating the characters of poor old women, to ascertain if they were witches, and if she unfortunately had a mole on her body, that was taken for a devil's teat, and to discover the truth of the allegation she must be thrown in a horse pond. No doubt horse shoes have derived their efficacy against witch-craft from being associated with such trials; and, until lately no farm building was safe from witch-craft without the horse shoe was nailed upon it; but the trial was conducted upon modern legal principles, for if the poor woman was drowned she might be innocent, but if she escaped being drowned, her punishment was to be burnt; burning people is not now the custom of the times; but the result of a modern law suit carries out the principle, for if you gain your suit you will most likely have to pay your own expenses, and so be comparatively drowned, and if you loose, if you are not burnt your property might as well be burnt. The highest authority I can quote on law is "Mister Bumble," who, when he was told that the law said his wife was under his control, replied "then the law is a hass," and unfortunately one that is not contented to browse, but carries ruin wherever he goes.

The instant a man goes to the Insolvent Court he makes an end to all legal process, but in the generality of cases the insolvent foolishly allows the estate to be reduced to the last pound by law expenses before he applies to the court, and in this way the lawyers receive the property instead of the creditors. The debtor has the power to go to the insolvent court whenever he chooses, so the creditor is in the absolute power of the debtor, who can make his election whether he will pay his creditor or not. This being the positive fact of the case, what security has the creditor but the integrity of the debtor. That these facts apply to the highest as much as to the lowest, I will prove by an important bank in Macquarie-place: the doors were shut and the depositors could not get their money, but from the implicit belief in the integrity of the English capitalists, comparatively no anxiety was felt, and only the temporary inconvenience for want of the money at any particular time. If everything had been the reverse of this, and all the money squandered, what would the depositors and shareholders have done but vent their anger by abusing the directors, which would be no satisfaction for money; so integrity is the only bank security. Look at Gurneys, when the integrity of the founders of that great institution died out and men without integrity came into it, what became of their capital and credit? why ruin to thousands! And we feel the effect of the dishonesty like the recoil of a distant wave. Now what is the intelligence of a man who trusts such institutions because he can go to law for his money. Why there is only one name for such a man. Now if I show that integrity, and not law is security for money,

what is the use of the law, why it is a legal fiction, as much as John Doe and Richard Roe that they used to have on law writs. The practical effect of our present laws on society is to blind and deceive people, it blinds them to their own interest, for they trust to the law that which they should see with clearest vision, i.e., the integrity, talent, and industry of their debtors, and it deceives society, for society believes the law can protect and save it from the trouble of doing its own duty; and if society is punished by the law for such neglect of duties, it is only the natural result of apathy, and the penalty paid, and the beginning of ruin to the community that commits such folly as trusting to law. That the law should protect property from chicanery there is no more doubt of than that the law should protect property from robbery. The insolvent that would not scruple to cheat his creditors out of thousands would not commit a forgery for five pounds; punish dishonesty but do not oppress misfortune. Is it so very difficult to distinguish dishonesty from misfortune that an honest jury cannot tell the one from the other, or is the law on the subject in that zoophyte condition as to be useless? if so, the sooner it is altered the better for the people. Corrupt parliaments have made the laws, by the tree you may judge the fruit, from corruption rottenness.

I now come to petty law, as the lawyers call the lower court and the best treatise on this subject is to be found in McCulloch's Commercial Dictionary, and the highest authority on commercial matters, and the one always quoted as an authority by the House of Commons, England, therefore entitled to the respect such an authority commands. The lawyers may object to everything that takes money out of their pockets, but in that case I shall use their own arguments against them, and say they are not impartial witnesses. The first injustice of the lower court is that a man may be put in gaol if he owes less than twenty pounds, but if one shilling more he cannot be put into gaol; what word in the English language can adequately express this one legal fact. I quote what Lord Eldon says on this subject, "The law of arrest is a permission to commit acts of greater oppression and inhumanity than are to be met with in slavery itself," abolishing such iniquity would be beneficial to society, who, but a lawyer, can doubt. McCulloch says, "To take away all action for debts of £50 to £100, except wages and on bank bills; to fill the country with petty local courts is the merest nuisance imaginable." The laws for petty debt in commerce are exactly the counter-part of the Spanish inquisition for religion, this law has done these things here; sold children's clothes and things out of the wash tub to leave the little dears naked, sold the bed from under a sick woman to put her on bush hay, selling the last stick of furniture and bedding from a family is the usual course of business, to leave a family in utter destitution until the comforts of a criminal gaol are palatial, is the usual consummation of this law, and when I see people living and getting wealth, that could not otherwise exist but for this horrible institution, it fills me with indignation. I had to pay eleven pounds on an award of three shillings in



this court, and legally charged the amount, and that not by an attorney but one of those sharpers that are wherever robbery, corruption, and iniquity exist. Reader think not my remarks strong but read the articles in this McCulloch's Dictionary, that is the guide of intelligent merchants whose only motive is to protect trade, otherwise themselves, and eminent merchants advocate the abolition of this iniquitous law; nothing I can say is so much to the purpose, as powerful as can be found under the heads of Credit, Truck, and Tally system in the Dictionary, and this Court demoralizes more people, causes more perjury, vice, destitution, than any other institution that could be invented, and is as much on a par with the intellect of the age as witchcraft, and it is only the present kind of legal witchcraft that the times will allow. When I have occasion to write to the public again I will reprint these admirable articles in full. Hundreds of others have written upon this subject, but not having the same authority, could not have the same weight with the Parliament. If I was a member, the first measure that I would advocate is the abolition of this institution, and pension off its officers.

A reformed Parliament is the only means of abolishing this niquitous public grievance.

My case is in the hands of a member to be brought out in argument, as the question before the House is, can the Magistrates administer, in case of petty debt, and it is to show that it is impossible to do greater injustice than is now legally performed in these courts; for the rules, as they now stand in the District Courts, are that a man may bring an action for two hundred pounds, and if defended, and if two shillings are recovered, the whole of the expenses are to be paid by the defendant to the amount, say twenty to thirty pounds, if this is not a bribe to lawyers to commit a legal robbery, I should like to be informed what is. These details are not worth discussing, nothing but total abolition of the courts, and the legal corruption that they contain, is worthy of legislation.

Legal punishment for crime is a wide subject, but a few remarks may give information; this, like every other subject, the legal gentlemen are the oracles, and with that conservative ignorance and assumption of their class, and the vanity and assumption of one member even goes to the length to say the Queen must be gratified by her son the Prince having the honor of his acquaintance; this man thinks hanging men is good for society. Henry the Eighth's reign must have been perfection, for seventy-two thousand executions took place during his reign, besides severing the necks of his beautiful wives, because he was tired of them. It is a pity such men that advocate hanging should not have lived in such times to share the benefits of them. The bank of England hung four hundred and nineteen men in nineteen years, because they chose to make bank notes that any engraver's boy could forge; was their property more secure then or now, I could shew that society is not improved by hanging men, for as society has improved there is less hanging (and I hope soon there

will be no hanging.) So the reverse ought to be the case by the rules of logic; one step in improvement leads to the next, private hanging is the first step, the abolition of capital punishment the next; lawyers will oppose it, but humanity will insist upon it, and gain the day. That criminals should be a burthen to the public is another legal absurdity. Is a stone of less value in a harbour because laid by a criminal? however much you may regret having a criminal to lay the stone. There are such improvements in the employment of criminals in America, and lately in England, that make our expensive establishments an eye-sore to the cities, as well as a disgrace to the Colony; there is no reason why we should be behind other countries, but every reason that we should be before other countries, for labor is dear, and our sea coast work costly and slow of execution. Criminals are employed at such work, and properly controlled at other places. Why not here? Surely we have not less talent, but we have no administrative honesty, and until we have it there is no use in attempting to investigate such matters, but a Reformed Parliament could save thousands in this department to the Colony, and make the prisoners better men. Is it not better to let the light of heaven shine on them than let them breed fever in a gaol, as was the case some short time ago? A sentence to imprisonment is not a sentence of death. The same laws, whether here or in England, fill our gaols to overflowing, and the countries with pauperism. Improve the laws would be the words of the timorous; abrogate the laws would be the words of the courageous; but both the coward and the courageous must see the evils of them as they now exist. You might as well expect Old Spain to flourish under her inquisition, as this colony to flourish under her present law. It seems here God gives everything, man nothing.

The transition from law to lawyers will be the usual course. The greatest men have succumbed to the corrupting influence of the law. To keep the mind pure, uninfluenced by prejudice or passion on the judgment seat, are qualities possessed by few men; and, judges ought to be elected from the obvious characteristics that some men possess in an eminent degree that fit them for such offices; but men of no such qualifications, but merely strong partisans to some ministerial party, get the appointment. Men from infirmity of temper, want of decision, and excessive talkativeness and attempt at wit, show that such men might be very humorous barristers, but out of place on the bench. What places such men on the Bench? Parliamentary corruption!

Barristers—the origin of the office of a barrister is derived from or before the feudal times in England. Noblemen and barons used to defend the interests of their retainers and tenants in the courts, such as they were. To offer to pay for such services then would have been thought as greatly *infra dig.* as now to offer a purse to a judge on the bench. And the original element is still retained, for a barrister cannot demand a fee, nor sue for it—and the

fees paid to them go by the name of honorarium—another legal fiction, for the word means conferring honour, acting without payment; and almost every law term is legal fiction, or obsolete and most certainly not understood by the generality of suiters.

The character of these men in the law courts is notoriously immoral. Barristers have not found it necessary to avail themselves of the common law of the land to enforce the payment of fees, or in any way desired it to protect their interest, for if they had thought such law would have conduced to their interests, there is no body of men could have obtained so easily what they required in the way of legal assistance as these men could; they do not want the common law applied to their part of the profession, for they know that it would injure them, for now their fees (I leave out the long word) must be presented to them, and the usual dignity of the profession grants the shillings or five per cent. of the fees to the clerk in addition to his salary. Barristers and gamblers are the only persons who cannot recover by law, and in both cases the debts, are debts of honor, as integrity and honor are used in the same sense, so both classes are more faithfully paid, and make fewer bad debts than other classes of the community.

Barristers are glad enough to have the benefit of the litigation of the public for their own profit, but not the law for their own use; they no more want the law for themselves, than a doctor wants to take his own prescription.

I will show what these men do for society. It is improbable for two men to go to law with equal rights on both sides; a right to be recovered, or a wrong to be compensated for, is the object of most law suits, and generally one party is obviously in the wrong; but this fact is not in any way disadvantageous, but rather the reverse; for if the case is not too glaringly bad, it only excites the barrister, and if he can only represent the wrong in such a way as to win the case, there is more credit given to him than if he had been honestly entitled to his verdict.

In Italy it is historically recorded that assassins could be hired that would finish an opponent for a handsome money consideration; in England there are no such men, but they have had Burkes and Hares, and here we have men who run much greater risks and murder only for a chance of profit on the high roads of the colony.

"You take my life,  
When you do take the means whereby I live."

In England, or rather the English, when they wish to finish by ruin an opponent, they hire a lawyer, and say only two are hired to fight the battle. One party goes to the great Sir Birdee, the other to the great Sir Gmmtigg. The next consideration is what amount of money will be sufficient to induce your man to fight your battle, and knowing in law, as in war, the sinews are the same—money, every sacrifice is made to furnish the supplies, and when you think your man is flagging, refresh him with more money; money is the thing, and in the excitement of the murderous battle, is the time to extort the money

—to win the battle is the thing. The proverb says “all is fair in war,” so all is fair in law. The legal warriors have had a lifetime’s experience to make right wrong, and wrong right, and are paid expressly for this purpose. Reader, draw your own conclusions, if a Reformed Parliament might not give us better security on the high roads and in the Courts.

In 1867, there were 109,104 men on the Registered Electoral List. I take this number to be about the total who directly contribute to pay the taxes, and are amenable to the laws; all the others are women, juniors, children, and dependents, so I shall take 110,000 as the basis of my calculation.

The amount paid for Police and Gaols (not including repairs or cost of building, and sundries) is for 1867	£250,000
as nearly as I can take the amounts out of the Statistical Register.	
The cost of the Law Courts is .. ..	£101,975 0 0
Fifty-eight Barristers, say average of the whole,	
£500 a year .. ..	29,000 0 0
One hundred and eighty Attorneys, say £600 average,	
this includes clerks, stationery, and office expenses	108,000 0 0

And it is obvious the totals received by the Attorneys are more than paid for the use of the Courts.

Say for all buildings, gaols, court-houses, lockups, Cockatoo dock, fines, fees, stationery, printing, clerks, and all detail connected with the law process, civil and criminal, in the colonies .. ..	200,000
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Or a total of £768,000 the public pay for the benefit of the previously described laws; or about £7 a-year every effective man in the Colony of New South Wales pays for law. And I do not believe I have over-estimated the incomes of the profession. Some of the barristers have an income of three to four thousand a-year, and some of the attorneys’ establishments are immensely expensive. I believe my estimates are rather under than over the total of what the public yearly pay for the protection of the persons and property of the public, an amount rather more than one-third of the total income of the colony spent in this one item—law. Highway robbery increased, crime of every kind, and their constant companions, vice and pauperism, are on the increase, as shown by the Government returns. Now I think I have shown sufficient to say that there is a wide field of action for a Reformed Parliament here. The legal cant that I have frequently heard from the profession, in defence of the law, is that human nature is imperfect, and the laws are as perfect as

human nature, and the law is the wisdom of past ages, and such sophistry as this, is to cover every possible iniquity.

The Ten Commandments are the oldest laws we know, but who disputes them?

#### MAGISTRATES.

The Magistrates are the first who initiate all correctional and criminal law, and to their honor be it said, as a whole they are a great public security, and do their duty in an impartial manner. The basis of personal liberty in English communities is the jury, and an unpaid Magistrate may be said to act as a juror on the case before him; but if they were elected by their fellow citizens from their known integrity and philanthropic character, and the dignity made the highest honor that could be conferred on a citizen, it would be an improvement, but now they fulfil their duties as honestly as jurors, and as they are elected much in the same manner; and it is only when some most objectionable man, whose character and antecedents will not bear investigation is put on the roll by some gross parliamentary corruption—that there is any cause to complain of the character of the bench; but the bench have great cause of complaint of the law, for now one man can ignore their decisions however righteous they may be. How long this grievance is to exist I know not, but now that it is so plainly shewn it must be redressed. The bench have another cause of complaint in the class of men known as “police office bullies;” these legal gentlemen only do what their brothers do in the higher courts in a more respectful way; I would insist upon them being equally respectful in the lower court, and I have always seen the business of the court better conducted in their absence. When we have a grand jury these men’s services will be less desired, for a man will know that if he is really innocent of what he is charged with, though he be committed, he will have a reasonable time to get up his evidence to lay before the grand jury, so two juries have to be convinced of his guilt before he can be convicted. Now legal despatch is a boast—to commit one day, try him the next, convict, sentence, and imprison him is to do strict justice, philanthropic law, this which professes that it is better for ninety-nine to escape than one innocent to suffer. I have lately seen in the public press that the legal profession are snubbing the juries of the colony, and that their convictions are not in accordance sometimes with the law of the case, that such occurrences should take place is no matter of surprise to me, but certainly a less heinous offence than history records of judges and juries entering into a compact to hang a prisoner. Paid magistrates obtain their appointments through Parliamentary influence, but it is to be hoped these magistrates, like vegetation, may be pure and wholesome, though sustained by corruption. If the magistrates will take this short law as their guide, “I will do as I would be done by,” the community now, and for the future, may safely trust the magistrates of the Colony for liberty and security.

## VOLUNTEERS.

In the year 1867 the total number of volunteers was 1767, and the Government expenditure, £8823. 1537 Military Volunteer, expenditure, £5169; Naval 230, expenditure, £3654. The returns for 1868 not yet published. The Volunteer movement I believe to be the best institution ever introduced into the Colony, and it is to be regretted the numbers are not larger and that they are falling off, and to stop this evil no reasonable amount of government money can be better spent than in encouraging the volunteer movement.

The moralising and elevating influence on the character of the young men and the numerous advantages of such association must be obvious to the most unthinking persons.

That the morals are improved by such association there can be no doubt, for what young man could meet his comrades if he had been guilty of some mean crime, and in proportion to the estimation that character is held in so the conduct improves, much of the time occupied by duty and the necessary attention to their accoutrements would have been spent in public-houses and in foolish conversation, that is now spent in healthful recreation, organised subjection, order and propriety; the most valuable of all education for young men. The elevating tendency is shown in the improved dignity of manner and carriage, look at the difference in walk, the carriage of the head, the manly bearing of the well trained volunteer to the slouching and slovenly appearance of a dissipated young man, and the best possible means of reform would be to bring him in contact with his superiors in manly conduct in a Volunteer Company; what better means could there be to bring men together in unity and friendship, without dissipation or cost. The sincere hand of friendship offered to an old comrade is felt in the army, and will be felt as strong when the word old can be applied to the Volunteer Corps. The officers should recollect always that there is no superiority in their corps, all are equal. The eminent success of the French army is to be attributed to this principle. And the Great Napoleon was called the little Corporal, having filled that position. Whether the services of the Volunteers will ever be required for the defence of the community, time alone can tell, but there is no doubt they would do their duty. The only opportunity of showing the way they would do their duty, is in the Fire Brigades, and if there is any cause of complaint, it is from being too zealous, a rivalry as to who shall be first in the field. I must now stop, for I could make this article as long as the last one; but with this difference: this subject gives me pleasure, instead of painful regret. An intelligent reformed parliament would see this institution in its true light, and afford it every assistance and encouragement. So here is health, prosperity and long-life to the Volunteers; and with them, though not a volunteer, I say GOD SAVE THE QUEEN.



## THE BANKS

Good banks, next to good government, is the most important interest to society. The only possible way that the public can know the monetary circumstances of the colony is by publicity. The better the condition of a bank the more advantageous to give its accounts clearness and publicity. The worse the condition of a bank the better for the public to know the true state of the accounts, as there is always more panic from uncertainty than knowledge. There are numbers of people that cannot understand the simple rules in arithmetic, much less bank returns, for such I now write.

The collective capital of all the banks in the colony is about eight million pounds sterling, and this amount consists of gold and silver coin, shareholders' money paid for bank shares, and deposits lent to the bank (the largest item), bank buildings and other miscellaneous property. The reserve fund if deposited in the Bank of England, or invested in Government securities, or some equally good security, might be called truly a fund that could be used, on any emergency, and reserved for that purpose; but if employed in the usual business of the bank, as it generally is, it is only so much added to the capital account of the bank.

The eight millions of money is under the control of the bank directors and managers for the purpose of being employed in banking business only; which means that the money is to be lent out on good security at short dates, or short periods of time, also to transmit money to different places, on which they make a profit, and to collect and pay money for their customers; this constitutes the only real business of a banker. With large capital and numerous transactions, the profits derived from these sources are immense. A banker's profit depends upon what is called an active account, and the more such accounts are distributed the better for the security of the bank. A clever banker is a great believer in the old saw "Not to carry too many eggs in one basket." The history of the ruin of all banks is traced to having only one, or a very few too good customers. One of the Government returns very properly shows the number of depositors in the Savings Bank: in 1866 there were 17,567; in 1867, 18,487; also, the number of amounts above and below contain sums; below £20 there is in 1866, 8,298, 1867, 9,031 depositors; between £20 and £50 in 1867, 4,165 depositors, and what is done with the depositors money is also clearly shown.

Now should not the Government for the security of the public insist upon all the banks giving the same information; for what possible objection could there be in a well-conducted bank showing the number of customers they have, and the amounts to their credit, in the same way as the Savings Bank has done; and, also show in the same way what is done with the shareholders' and depositors' money. All that

is required is the number of persons who have bills discounted, and the number of amounts between certain given sums in the same way as the Savings Bank deposits. The returns of a bank truly published in this manner, would inspire the same confidence if it were properly conducted in the mind of a good man of business that the Bank of England does now, and it would be equally secure. Will the banks submit to such enquiries? I believe not. Cowardice and collusion are the enemies of publicity. Integrity, Honour and Courage, court, publicity and the investigation of everything they are entrusted with. A Reformed House of Parliament would insist on having better information of the conduct of the banks. The history of the past banks of the Colony is no favourable omen or security for the future: Some day to our cost we shall have the disastrous results that have taken place elsewhere lately, here, if attention is not given to the way our bank returns are made out and published.

#### PUBLIC WORKS BUILDINGS AND THE STATE OF SYDNEY.

It is only to show the state of the official departments, the absolute waste of money, and the injury done to the health of the city and suburbs that induce me to make these very short comments on subjects that would require a volume to fully point out, now even calling attention to them is useless labor from the utter hopelessness of alteration and improvement. The truth and pertinence of my first quotation I will now prove. The mortality in Sydney and suburbs, as shown by the quarterly returns (to be seen in newspapers), is more than double in some districts over others, and you have only to go to the localities where the mortality is greatest, and the causes are as obvious as the houses the people live in. The citizens from their English habits and experience of the bad sanitary condition of towns in that cold climate are not sufficiently impressed with altered condition, that takes place in a warmer climate, the insanitary state of a neighbourhood that you might live in with impunity in a cold climate, would only be a fever bed in a hot climate, and the hotter the climate the more essential good sanitary arrangements are. In South America I was cautioned against taking a *Calentura Casa*.\* And in that country they firmly believe, and I am converted to their belief, that certain houses are the cause of consumption and—our doctors admit—of fever. The official indifference to the health of the inhabitants of Sydney proves the authorities think more of money than they do of human life. There are just now grand schemes to make new streets, subterranean tunnels, central railway stations, and vast imaginary improvements. These gentlemen, like the philosophers of Laputa, are so absorbed in gazing so far into distance, as to be unconscious of everything around them, and one of these gentlemen is so occupied in Laputian experiments, that it is a pity his flapper should have disturbed him from his visions so as to distract public attention from works of the most absolute necessity, such cleaning and

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\* A house where persons have died of consumption.

making sewers, preventing the harbour being converted into a cess-pool, poisoning the air around the Government house and the gardens by the dilatory and noxious process of filling in the end of Farm Cove, which work is conducted as if it were managed by a lot of Australian blacks. The beautiful site and palatial building of Government House can only be used as an official town office by the Governor, but not as a residence out of regard for the health of his family, and it is reported Sir W. Denison lost some of his children from the insanitary surroundings of the Government House. Making the footways of the streets passable, the destruction of shoe leather from the rough sandstone and bad state of the pavements, if the value of it was to be calculated, would pay for the most beautiful pavement in the world; no calculation is unimportant to the political economist, as every unnecessary cost is a public loss. The conduct of street vehicles is most disorderly. The first impression that Sydney made on me on my return after a long absence was that it was a city of wealth and disorder, and my first impression has not been altered. The Municipal arrangements are nearly as bad, though not quite as expensive as our Government affairs, and corruption is at the bottom of the evil; almost every alderman has his troop of half paupers, half labourers, and the officers that have the control of work their time is occupied in keeping square with the aldermen, and though some of the officers are notoriously incompetent but by devoting their whole talents to the interests of the aldermen, the aldermen support the incompetents, so by this mutual compact have the present works of the most contemptible kind are what the citizens do pay for, and from bungling, sometimes twice or three times over, and the sanitary state of the city completely neglected.

My next door neighbour in London, Carlyle, says—"But above all, where thou findest Ignorance, Stupidity, Brute-mindedness—attack it; I say, smite it, wisely, unweariedly, and rest not while thou livest and it lives; but smite, smite in the name of God! The Highest God! as I understand it, does audibly so command thee; still audibly if thou have ears to hear. For the night cometh wherein no man can work." The unusual use of a word from a great man makes an impression on the mind of the young. My neighbour sent me a note to say that I had a deranged pump in my kitchen, and the noise it made disturbed his studies; my children immediately said that we had a mad pump in the house, but I subdued its noises. The Botany pumps, whether deranged or otherwise I know not, but the Sydney water works are mad water works; the engineer's own report says the engines are so strong that they will burst the pipes, and the pipes are so laid that the water will not run through them, that the reservoirs leak, and we want more built like them: that he has made arrangements at Botany dams for the water to flow upwards, and the aldermen are so stupid that they will persist in saying water flows downwards; so while these matters are year after year being discussed, Sydney is only half, and sometimes not at all supplied with water in the very hottest months, and

water, when supplied, unfiltered and full of vegetable and animal the matter, to the injury of the health of the people in this way, and choking and blinding them by the dust is the other way; so making the city unhealthy, and driving the people out of it! Such are the works of a corrupt Corporation.

#### PUBLIC BUILDINGS.

The public buildings are objects of much interest, and my criticisms are to show that the colony does not want, nor can afford to pay, for the buildings now erecting. The merit of architectural embellishment is a matter of taste, but the general design, when pointed out, is equally obvious to all. Ruskin expresses this idea, that one of the pleasures to be derived from architecture are the defects that call forth the activity of the mind to show them, and the inventive powers of the mind to improve them, and if we have nothing but admitted classical perfection, all interest in improvement is at an end and invention useless; and this view of architecture is in strict accordance with my own feelings on the subject. Grotesque ornament calls forth another kind of pleasurable feeling of the mind, and a thing of beauty is a joy for ever.

The site of the new Post Office is wrong, and the building placed wrong upon the site; for if no other site could be obtained, the central entrance to the building should have been opposite to the middle of Barrack-street, and a good wide covered thoroughfare made from George-street to Pitt-street; that this would have been the greatest public convenience there could be no doubt of; but it is no use to show what ought to have been done, but what is now doing. The very large blocks of stone employed, and the efficient machinery for moving them is a new and advantageous introduction that now, once employed, will be more generally used to economise labour, and highly creditable to the contractor and his employees. If the details of the building are not correct, the contractor is not answerable for that.

A whole building is nothing but a series of details. I shall call attention to a few of them in this building, and to the building as a whole. The elaborate character, the excessive ornament, and small cubical capacity, and the costly working up of some of the materials, is completely out of place in this colony; and such expenditure has never taken place in England to my knowledge, in proportion to the cubical capacity of a building, that this building will cost us before it is finished. The design of the building is only fit for one of those very wealthy institutions in some lane off Lombard-street, London. The introduction of granite into this building has done the colony a service; there is an inexhaustible supply of this valuable material, and numerous uses to which it can be applied with economy for the public benefit, for the most durable material, say for roads and other purposes, is always the cheapest in the end; but whether the colony in its present monetary condition can afford carved granite, as if it was Caen stone, and polish it as if it was Italian marble, stating the cost may be the

best way to show. Polishing the ten granite pillars in the colonnade, cost one thousand five hundred pounds, one hundred and fifty pounds each; the pillars were complete in every respect to erect before polishing, according to contract, so this polish cost two pounds eight shillings a square foot surface. I have unquestionable authority for this one item, the other values I state from what I consider good information, but cannot vouch for the accuracy of the amount; but this information induces me to state that I believe the ten columns, caps, and bases cost considerably over five thousand pounds, and as this is only one section of this kind of work that is to be introduced, so the money voted will go very little way in the building.

This being a gold producing colony, I suggest that the columns should be double gilt, which can be done in the best manner for five shillings a square foot surface, and this would stand the weather for seven years; but I calculate for only three, so the three years' interest saved in the two pounds three shillings, would be nearly seven shillings, if the money were invested at 5 per cent; so the saving in the first cost would be a fund, to gild them in perpetuity, or save the Government borrowing the money, which is still better; and gold is considered to be the most beautiful material that can be beheld. From gold to iron; how the price of the iron work for such a building could be contracted for, without reference to its weight, is a most extraordinary way to make such bargains, and men of thirty to forty years' experience in the iron trade, would not believe such things were possible. Lead of heavy thickness has been used to bed some of the principal stones, instead of cement. This use of metal must add very much to the expense of the building. I called the architect's attention to the fact that there was no ancient or modern authority for such use of that metal in this way; and further, when a boy, my father called my attention to this ignorant use of materials of different expansive powers; he showed to me the famous Bish's Lottery Office, London, the stones that were set with lead in the basement of that building, and there was not a sound stone to be found, and every circumstance is as fresh in my mind as if it was only yesterday. I called the Minister of Works' attention to this subject, and I have not seen any lead used since. The iron girders—the ends are laid on lead in the walls, which I deem wrong, for the above reasons; if the information I give is correct, it is not too late to take advantage of some portions of it. Any particulars of the cost of the public buildings are most difficult to find, and when found, are discovered in the most unlikely places. What has Mr. Krefft and the Museum been guilty of to be classed with the penal establishments; the Astronomer holds the same dishonorable position, and the Colonial Agent is classed with the gaols. Official persons know nothing except officially, and the Colonial Architect, knowing the class to which the Museum belonged, was perfectly justified in selecting the design of some popular gaol for the Museum, and that he has successfully carried out the Government classification in the penal appearance of the building is beyond a question, and no

doubt given satisfaction to his employers; and, if they are satisfied, it is a piece of impertinence for any one to express an opinion, but with all due respect for Government authority. I humbly submit that a Museum is not a penal establishment, and further that I should be very sorry to see Mr. Krefft in a penal establishment. This classification of departments is in perfect unison with the explanatory nature of the figures in the statistical register. When I see such good workmanship and stone piled up into such forms, it shows that the most competent mechanic may not have the necessary talent to design his own work; and when we have an intelligent Parliament that can tell the difference of one design from another, we shall have no more such work, but light capacious elegant buildings suitable for the climate and our pockets.

The object of this Pamphlet is to describe things as they now are, for to believe the present state of the Colony is such as to induce emigrants (that are worth having) to come to our shores is a fallacy, that is proved by their not coming but rather leaving. That the success a private establishment depends upon the good management of the owner is never doubted, and yet the same people who know that the Colony is badly managed in every respect, are content to let the present state of things go on, but individually expect to prosper. To expect general prosperity under such circumstances is below reason. I have not stated a circumstance but what I believe to be true, nor a figure but what is absolutely correct, except from an unintentional error from manuscript or printing.

The two things of the greatest importance for the welfare of the Colony, the first is to forthwith have a commission of inquiry in Government accounts by competent people uncontrolled in their action. This will prove the want of the second: A Reformed Parliament agitated out of the House until it is compelled to be granted. England carries reforms in Parliament—then why should not we have Parliamentary Reform in the Colony.

HENRY FRANCIS.

Cumberland-street, Sydney.

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NOTE.—Mr. Lowe's Budget shows what financial talent will do for a country, Mr. Lowe was here for years, and we have Lowes in the Colony yet.

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## NEW NOTICES.

SATURDAY, 27TH MARCH.

Mr. J. STEWART to ask—What quantity of coal is shipped per month by the Newcastle steam cranes since they were leased? 2. To whom are the cranes leased, for what period, and on what terms? 3. Has any complaint been made as to the management of the cranes? and, if so, how many, and of what nature? 4. Does any one on behalf of Government inspect the cranes, to ascertain that they are maintained in a proper state of repair?

## NEWCASTLE RAILWAY.

*(To the Editor of the Newcastle Chronicle.)*

SIR.—As the Government Estimates have just passed for the payment of the railway officials at Newcastle, I beg to call your attention to the two accidents that have lately taken place on the Northern line. Railway accidents, except from the unforeseen breakage of metal either in the engine or rail means railway negligence. Public attention should be called to this negligence, and no one is so proper to call that attention to it as the member who represents the district in which the railway is. Now, the member for Newcastle, instead of calling the attention of the Government to these accidents, states to the House during the passing of the estimates for this railway, the wonderful efficiency of the railway, the great traffic, and the meritorious services of its officers. The honorable member who is so zealous on behalf of the railway officials, would do a public duty by showing the particularly meritorious conduct of the Traffic-Manager that induced the Government to raise his salary from three hundred to five hundred pounds a year, the particular time it was that it was done, and the particular service for which the two hundred additional pounds were paid. The duties for which the five hundred a year are paid, consist in making arrangements for the departure and arrival of *four* trains a day, three passenger and one goods train; the whole of the directions for the coal traffic being in the hands of the locomotive foreman and the wharfinger, the colliery owners managing their own waggons, even to the greasing of the wheels. The two accidents alluded to were goods or passenger trains, not coal trains, therefore, in the department of the officers that are so zealously supported by the honorable member.—— Fortunately for men who are competent, and that faithfully perform their duties, and honestly receive the pay they are entitled to, don't want bolstering up by over zealous friends, and this Traffic-Manager is not the only servant in the railway department for whom members spring up as champions for their defence. The tax-payers of the country more often than otherwise, attribute this violent partizanship rather to political corruption than to disinterested friendship. The head of the traffic department for Sydney is paid only five hundred pounds a year, and as the Traffic-Manager at Newcastle has only four trains a day to occupy his time, and receives the same salary, Mr. Hannell would only be doing his duty to his constituents to show for what the additional two hundred pounds a year were paid to this officer, or at whose instigation this increase was made. I remain, your obedient servant,

SYDNEY.

March 6th, 1869.

P.S.—Since writing the above I have had my attention called to the Parliamentary report in to-day's *Herald*, which I enclose herewith. The remarks of Mr. Hannell (brief as they are) will show you how utterly regardless your member is of accuracy, and the sooner he is shown up the better.

**EXTRACT FROM PARLIAMENTARY REPORT.**—Mr. Sutherland said that no charge had been made against Mr. Thomas. All that he had said was that the Government were instituting an investigation into the working of the department, and the state of the rolling stock. Mr. Hannell said that the Northern line was very admirably managed, and that there had *never been an accident on it since the line was opened for traffic*. In the Northern districts Mr. Thomas had the highest possible character for efficiency and general ability. Mr. Lloyd was of opinion that the Northern line was not in such a very effective state, as represented by the hon. member for Newcastle, and he was at a loss to understand the large amount of virtuous indignation in which that gentleman had indulged. He did not see that there was anything to which the House, or Mr Thomas, could fairly object to the statement of the hon. member (Mr. Driver).

*To the Editor of the Newcastle Chronicle.*

SIR,—I again address you, feeling that the man who will freely expose public abuses, is a public benefactor. The last letter you favoured me by inserting in your paper, implied that a Government officer was receiving pay that he was not entitled to, and it distinctly stated that your member denied the two railway accidents, that occurred through carelessness and ignorance, ever happened, and this statement was made in the Parliament house, as the report in the *Herald* of that date will prove. Now, how can a Minister for Works, however desirous to improve the working of the railways, cranes, making crossings on the lines, pilot-houses, harbour works, and other improvements, if he is opposed by the very parties whose duties are in every way to co-operate and assist him in his arduous duties, and who, instead of helping, retard every improvement and suggestion made by the Minister, merely for party purposes. On the Minister's first visit to Newcastle, when he saw the miserable accommodation for the pilots, he at once had the houses improved for their use, as far as it was practicable. Next, he did all that he could to have a crossing made at Wolfe-street; and I want to know why the public have been so long deprived of this convenience? Can it be at the instigation of the member who has a public-house at the adjacent crossing. I know that members of a City Corporation can make roads for their own profit and accommodation, and in some cases it may be more advantageous to a member to have roads unmade. The late deputation that waited on the Minister for Works to know the reason this crossing was not opened after he had promised it, expressed his surprise that his instructions, to have the crossing made, had not been attended to before that time, as he had given orders to have the work done. Now, as the Minister's orders have not been carried out, will you try to ascertain the reason why, and show the causes up in your paper, for the sooner they are known the better, as it is a shame that public improvements should be stopped by party spirit, to the injury of the district and the prosperity of the port. The coal cranes



are again being brought before the Parliament, and will, no doubt, soon become a Parliamentary bugbear, as they formerly were when worked by the Government; and, under the present management, they will soon resume their past notoriety, and afford the Parliament an endless source of scientific discussion, amusement, diversion, and annoyance, until the present, like the past, Ministers will be sick of the very name of the "cranes."—I remain, your obliged,  
 SYDNEY.

### NEWCASTLE RAILWAY.

*To the Editor of the Newcastle Chronicle.*

SIR,—Your having inserted two letters of mine, showing that you are not indebted to your Members for practicable improvements, but that they have opposed them; nor can anything be shown that they have done for the advancement or prosperity of their constituents since they have been elected; and, as such is a notorious fact, the local Press cannot do a higher duty, or confer a greater benefit on the district in which it is circulated, than by impartially showing the good or evil done to the district by the members who represent them in Parliament. Parliament House is the only public place in which truth may be spoken without the terror of the law, in the shape of fine and imprisonment, for so doing. This great privilege—this basis of all right, freedom, and prosperity—must be guarded with utmost vigilance, and any member who would infringe upon this great privilege, by distinctly stating to the House that which it was obvious was known to be untrue, should never enter its walls again. The only safeguard we have for the purity of public administration is publicity, and any man who fears publicity of his conduct in the Parliament House, or as a member, is either a coward or dishonest. The truth and accuracy of a Parliamentary report may be taken correct, more particularly so if not contradicted. Now, one of your members stated in the House, that no accidents had ever occurred on the Newcastle railway, although several are publicly and generally known to have happened. Is it possible that your member takes so little interest in the public property, or knows so little of what is published in the daily papers, as to be perfectly ignorant of such occurrences? if so, is he fit to be a member? It is not impossible this last suggestion is the true one, so I give him the benefit of the doubt on the first accusation; but, even that ignorance will not excuse a member getting up to state in the House anything that he thinks will serve his party, without reference to the truth or facts of the case. Railways here are public property, and no one is so proper to point out any mismanagement that takes place in working them as the local members, who are elected to represent the interests of their own districts. Now if members, instead of suggesting improvements and reporting obvious improprieties as to the conduct of the railways, do the following things themselves on them, how can it be expected that proper control can

be had over railway officials, if members of a Government corrupt them for their own objects? On the election of the member for Northumberland, on his taking office as Postmaster-General in October last, trains were run upon lines that had not been officially opened for passenger traffic. If such an offence against the law had been committed on any public company's line in Great Britain, all the officers implicated would be dismissed at once, without appeal. Next in direct violation of the Electoral Act, free tickets were issued to voters, on which were printed the words "Vote for Tighe." Now, what can be said for members of a Government who will illegally use Government property, and set the law at defiance for their own purposes.—Your obedient servant,

SYDNEY.

April 15th, 1869.

P.S.—The losses that the present Government sustain, from the bad management of the Newcastle railway, I will show in another letter.—SYDNEY.

### NEWCASTLE RAILWAY.

(*To the Editor of the Pilot*)

SIR,—In your contemporary of Thursday, under the above heading a statement is made by a writer under the *alias* of "Sydney," having reference to the recent contest for the representature of the county of Northumberland, to the effect that "Free tickets were issued to voters, on which were printed the words 'Vote for Tighe.'" And "Sydney" then goes on to remark "what can be said for members of a government who will illegally use government property, and set the law at defiance for their own purposes." This statement, Sir, is untrue. I am aware that the special trains were paid for in the usual way; and that Mr. Tighe did not take advantage of his position as a member of the Government to convey his voters to the poll free of expense. I am desirous of correcting this error, as the time is not far distant when the present member for Northumberland will, probably, again solicit the votes of his friends in this district, and no specious dodges to create a doubt of his principles should be allowed to pass unnoticed by those who intend to award him their support

Yours, &c.,

A VOTER FOR TIGHE.

### THE NEWCASTLE RAILWAY.

(*To the Editor of the Newcastle Chronicle.*)

SIR,—“A Voter for Tighe,” in his letter in your contemporary of April 17, states that Mr. Tighe did not illegally use the Government property and set the law at defiance for his own purposes. This statement, he says, is untrue, but that special trains were paid to convey Mr. Tighe's voters to the poll, free of expense. Now, such an employment as this is the particular illegal use made of the railway

by Mr. Tighe, which is shown in my letter that is quoted. The next complaint I make is, that on this same occasion the trains were run upon lines that had not been officially opened for passenger traffic. For this last offence I stated that if such an act had occurred in Great Britain, all the railway servants implicated would have been at once dismissed, for it is obvious that, if life had been sacrificed, and the Government property destroyed, it would have been caused from such a dereliction of duty that no Government could have overlooked it; nor is it any excuse for this offence that accident did not occur. The impropriety of Mr. Tighe's conduct on this occasion of his election, at the time he took office as Postmaster-General, cannot be better shown than by giving a correct copy of his own advertisement, published in the *Newcastle Chronicle* of October 10, 1868:—"ADVERTISEMENT.—NOTICE TO MR. TIGHE'S FRIENDS—SPECIAL TRAIN.—A special train will leave Waratah and Newcastle at 10 45 this (Saturday) morning, and Lambton 11.15, returning from Newcastle at 6.30 in the evening. Tickets at Waratah can be obtained from Mr. Turton, and at Lambton at the pit platform." As Mr. Tighe did such acts as putting on the special train advertised for the conveyance of his voters to and from the poll, and distributed imitation railway tickets bearing this printed inscription—"Vote for Tighe," it is clear that he infringed the 59th clause of the Electoral Act against bribery and corruption, for in that clause any elector being supplied with conveyance by steam or otherwise whilst at such election, or whilst engaged in coming to or going from such election, it is illegal according to the Act. Next, the fact of issuing tickets purporting to be railway tickets, which tickets represent a money value, is a direct bribe to the voters according to the above Act; also, to hire a train to take the electors to and from the poll is in direct contravention of the Act. My letters that you have inserted in your columns are not intended for personal attacks, but to show political corruption, and to prove the injury the district has sustained by the past bad Government. I have shown in one of my last letters that the Newcastle Railway is so badly managed that some of the principal merchants employ their own waggons rather than use it, and that there are numerous complaints of the mismanagement of the coal traffic and shipment of coal. The mismanagement arises from the principal officials having been appointed from being political partizans, and having political influence, instead of having men to do the work who were competent and independent—and the sooner such men are employed the sooner the district will thrive. An independant Government can have no object but to employ the Government property in the best possible manner for the public good and their own honour. Now, so long as a Government is afraid to discharge an incompetent servant, or to make an inquiry to ascertain the nature of an abuse for fear of loosing political influence, the present state of management is not to be wondered at, and the consequent want of prosperity in the district. Now for the case in point. Can it be supposed that the public gave the money to make

your line of railway for special trains to run upon to give an unfair advantage to one political candidate, and that one well known to be a partizan of the then existing Government. If this is not conclusive evidence of political corruption I should like to be informed what is.

Your obedient servant,

SYDNEY.

April 22nd, 1869.

### NEWCASTLE RAILWAY.

*To the Editor of the Newcastle Chronicle.*

SIR—Railways are admitted to be the greatest benefit that can be conferred upon a country, increasing the wealth, prosperity, and civilization of the people, but the above advantages are dependent upon railway management. Our railway traffic is a monopoly, and if the abuses are such as to prevent the railway being used for the benefit of the district, the whole of the money that the Government has spent in the construction of the line is thrown away. One obvious effect of the present management is, that the principal merchants of the place employ waggons and horses to take their goods from the steamer at Morpeth (and the Morpeth line has less traffic than any other in the district) to Maitland, instead of having them unshipped at Newcastle, and from thence delivered by rail to their customers at the various stations between Newcastle and Singleton. The complaints are, the goods are not taken care of, the traffic too high, and the want of civility and attention in the railway managers. The reluctance of persons in bringing their names before the public to make complaints, and the difficulty there is in getting the evidence, and proving the injury, is the cause of an amount of mismanagement that would be incredible, until the facts were brought before the public. The railway at Newcastle is principally employed for the coal trade, and want of management, or want of integrity, committed upon the line, is most injurious to that trade. I ask this question—Was it ever thought necessary, or a doubt ever entertained by the colliery managers, that the coal they sent on the line but was duly put on board the ship that it was intended for, and the quantity shipped and the quality corresponded with the certificate, or was the truth of such certificate ever called in question? I state now, that colliery managers think it necessary to send men, at night, down the line, to count the waggons of coal, and to ascertain, as far as possible, what coal has been shipped, and this investigation is caused from the frequent complaints of mistakes and irregularities. Nothing could be more disastrous to the Port of Newcastle than to have the truth of a single coal certificate called in question; for who would purchase a cargo, by certificate, if it was known to be possible that it did not represent the true quantity and quality of the coal in the ship? The loss such an event would cause Newcastle is incalculable, for every instance of short weight, or error that took place in foreign ports, would be immediately attributed to

the dishonesty of the colonial coal-owners, and a ruinous per centage would be taken off the coals, to allow for such contingencies. When there was a great demand for Australian coal, a few years ago, inferior coal was shipped; and by so doing, our excellent coal, that is equal to any in the world (within about three per cent.), got such a bad character as to be almost unsaleable, and it has taken us years to redeem this past injury to the trade, sustained by shipping bad coal. The greatest caution is now necessary that discredit be not again thrown on the trade, by giving certificates for coal carelessly shipped. I know, in England it is no unusual thing to give a few tons of coal over in the cargo, but the quantity stated in the certificate would never be called in question. In Newcastle lately, it is admitted, that much confusion occurs on the line with the coal trucks, which will cause mistakes to take place in the shipping of the coal. It will be a bad day's work for the port when a lawsuit shall decide a dispute on the quality and quantity of coals that a Newcastle coal certificate represents; such certificate has hitherto passed current the same as a bank note. That the above cautions and suggestions are not necessary, I know from the fact, that a cargo of coals, lately shipped to Adelaide, part of the cargo was delivered, and the remainder refused, because of the different character of the coal; so it is evident that lawsuits will arise that will damage the character of the port, if the present mismanagement continue, and the above is not a solitary case. I further suggest, that it would be for the interest of the port, than an officer should be appointed—some man of known integrity and ability—to inspect the quality of the coal, and also see that the quality and quantity correspond with the certificate given to the ship. It would be of no use appointing a local political partizan to such an office, for the present mismanagement is to be attributed to political corruption, as my past letters fully show.—Your obedient servant,

SYDNEY.











